

**MINUTES OF THE REGULAR MEETING
OF THE FACULTY SENATE HELD ON
MARCH 9, 2001, IN THE ALUMNI HOUSE
1925 F STREET, NW**

The meeting was called to order by Vice President Lehman at 2:15 p.m.

Present: Vice President Lehman, Interim Registrar Terpstra, and Parliamentarian Pagel; Dean Phillips; Professors Boswell, Captain, Divita, Duff, Gallo, Haque, Harrington, Johnston, Lindahl, McAleavey, Mergen, Nagy, Park, Pelzman, Robinson, Simon, Stephanic, Wilmarth, Yezer, and Zaghloul

Absent: President Trachtenberg, Deans Futrell, Harding, Lefton, Riegelman, Tong, Williams, and Young, Professors Castleberry, Cawley, Griffith, Hoare, and Thornton

TRIBUTES IN MEMORIAM

Professor Robert E. Park read "A RESOLUTION IN MEMORY OF ROBERT KRAMER, DEAN, NATIONAL LAW CENTER," who died February 1, 2001, at the age of 87. Dean Kramer was a Professor Emeritus of Law and served as Dean of the National Law Center for 18 years. He retired in 1979. (A copy of the tribute is attached and made a part of these minutes.)

Vice President Lehman read "A TRIBUTE TO THE MEMORY OF PROFESSOR JOSEPH BENJAMIN LEVY," Professor Emeritus of Chemistry, who died February 7, 2001. Professor Levy was a member of the Chemistry Department for 27 years. He retired in 1992. (A copy of the tribute prepared by Professor Michael M. King is attached and made a part of these minutes.)

APPROVAL OF THE MINUTES

The minutes of the regular meetings of January 19, 2001, and February 2, 2001, were approved as distributed.

RESOLUTIONS

RESOLUTION 00/5, "A RESOLUTION WITH RESPECT TO ACTION TAKEN BY THE UNIVERSITY'S BOARD OF TRUSTEES IN RESPONSE TO RESOLUTION 99/2, "A RESOLUTION TO AMEND THE 1996 FACULTY CODE OF THE GEORGE WASHINGTON UNIVERSITY"

Professor Robinson, Chair, Professional Ethics and Academic Freedom Committee, reviewed the background of Senate Resolution 00/5. Although it was felt that the Senate's grievance process was basically sound, over the years there were questions about it from both

faculty and administration. A Special Committee, chaired by Professor Mary Cheh of the Law School, was formed to see if improvements could be made to the process. The Committee worked for two years, and came back to the Senate with a report and recommendations. As is the usual practice when dealing with changes in the Faculty Code, the report and recommendations were forwarded to the Professional Ethics and Academic Freedom Committee (PEAF). The PEAF Committee considered the work of the Cheh Committee and added its input, and then forwarded the matter on to the Faculty Senate with a Resolution. The PEAF Committee Resolution was adopted.

Subsequently, Professor Robinson said, the administration asked that the Senate revisit Section E, with a view toward making some additional changes. A lengthy discussion was held, which at times was heated, but the Senate passed a second Resolution.

As is the usual practice with Senate Resolutions, Professor Robinson said that both of them were forwarded to President Trachtenberg. As is also the usual practice, he would then recommend that they either be accepted or rejected by the Board of Trustees. The usual process would have been that the Resolutions went first to the Academic Affairs Committee of the Board, and then to the Board itself. That apparently did not occur with these Resolutions. Instead, she said, it appears that the administration asked for additional legal advice from the University's General Counsel, and changes were inserted by that Office into the Resolution that had not been passed by the Senate. This procedure is contrary to the usual practice, she said, and contrary, really, to the whole spirit of shared governance, to which the Faculty Code speaks quite eloquently.

Turning to Resolution 00/5, Professor Robinson pointed out that the Resolution deals both with substance and process. Both are important. What Resolution 00/5 does, she said, is to request that these changes to the Faculty Code be brought back to the Senate so that consultation can take place. It requests an opportunity for the Senate to do its job in shared governance which is to look at the Senate Resolutions and see what the changes are.

Professor Park asked, as a matter of background information, if in the past when resolutions have been sent to the President and forwarded under the Code to the Board, whether the Board was free (or not) to make changes. Professor Robinson said she did not know the answer to that but supposed that the Board could. Professor Park said that his reason for inquiring was that what the Senate was asking for was quite modest in terms of procedure, and did not foreclose the President from memorializing the Board or submitting a memorandum or some other communication that would show why the administration might want a different phrasing than that appearing in a Senate resolution. It seemed to him that the essential issue, institutionally, is whether or not the expression of the Senate goes to the Board to be considered along with whatever else they might want to consider. Professor Park then said that he thought the Resolution an appropriate one to adopt.

Vice President Lehman then reviewed what had taken place in the Academic Affairs Committee of the Board of Trustees when proposed changes to the grievance procedures were considered. He reminded the Senate that both he and Professor Boswell, Chair of the Executive Committee, were present at that meeting. Vice President Lehman said that what was put before the Academic Affairs Committee were the materials of those particular items that were controversial in the discussions between the Faculty Senate and the administration. This was done so that the Board had full knowledge of what the discussion points were that were considered to be serious issues. From the viewpoint of the University's General Counsel's Office, the remaining 6 or 7 items were minor changes. Both Vice President Lehman and Professor Boswell made it clear to Committee members that the Faculty Senate had not previously seen the proposed changes. The issue which dominated the discussion extensively, he said, was that of monetary damages.

Professor Wilmarth spoke in support of the Resolution and outlined the history of his involvement in negotiations with the administration over the language of Resolution 00/2. During consideration of these changes, he said, there was a dialogue between the Senate and the administration over proposed changes to the Code, and what went forward to the Board of Trustees was a consensus document. He added that, of the 7 changes that were subsequently added by administration officials before Resolutions 99/2 and 00/2 were presented to the Board, it was fair to say that four might be considered to be of a very technical nature, but three were not. Two certainly had some substantive impact on questions of how much deference might be owed to a Grievance Committee's decision, and the last one, on monetary damages, was a fundamental point that was debated at some length on the floor of the Senate. On this last point, the Senate had made its position clear and had rejected the administration's proposed changes. He said that the pending Resolution reminds the University that the principles of shared governance are important and, when they are not followed, misunderstandings can result. These principles are particularly important when changes to the Code – the basic contractual document between the faculty and the University – are being contemplated.

Professor Pelzman spoke in opposition to the Resolution because the Resolving Clause did not request that the administration reverse its actions. By ignoring and changing the Resolution without discussion, he said, shared governance became a nullity on campus. He added that, under the present grievance process, without appellate review and monetary damages, he could not imagine suggesting that a faculty member use the process, and he would suggest that they go to civil court instead.

Discussion followed by Professors Robinson, Pelzman, and Harrington, during which it was established that the PEAFC Committee had considered and rejected a stronger Resolving Clause and that the process for changes to the Faculty Code was discussed.

Professor Harrington said that, while he appreciated Professor Pelzman's points, he thought that at this stage, this matter should be treated extremely carefully.

Professor Nagy inquired as to whether or not anyone could tell him how this situation would play out in front of the American Association of University Professors (AAUP) and their concept of shared governance, and whether or not GW was skating towards the territory of a potential condemnation of the University. He asked if we have gone to that level because from the discussion it appeared that shared governance was not a factor at all; it seems to have been completely ignored. He added that he did not think that anyone present would want to see the University on the condemned list of institutions, and asked if anyone could enlighten the Senate on this issue.

Professor McAleavey said it seemed that, if the Code had been changed by the Board, the Resolution ought to suggest a revision to the Code. Professor Divita said it seemed to him that there were two issues involved: an affirmation of the process of shared governance, and the specific provisions of Section E. Professor Simon spoke in support of the Resolution as it provided a possible way of reopening issues for discussion, rather than demanding further changes in the Code. Professor Yezer said his reading of the Resolution left him unclear as to the outcome sought by the Senate. Professor Pelzman reiterated his support for changing the Resolution to insist upon reversal of the Code change. First of all, he said, the faculty is the institution, not the administration; the reputation of the University is based on faculty work, not administrative work. This is not a business, he added, but a University – run by faculty members and based on faculty reputation. To pass the Resolution as drafted, he said, would be to send a wrong signal that the faculty are powerless.

Professor Johnston spoke in favor of the Resolution because he did not think that the Board Committee had much background, or understood that the proposals made to them had not been approved by the faculty. Professor Boswell spoke in support of the resolution, stating that the question of monetary damages had overshadowed discussion of everything else in the Board's Academic Affairs Committee meeting.

Professor Captain spoke in support of the Resolution. She said it was very clear to her, at least personally, that this situation was mostly a matter of a misunderstanding that occurred between the Board members and people representing the Faculty Senate. Professor Yezer pointed out that the Resolving Clause of the Resolution asks for what the Senate already has, and that is to pass a resolution recommending a change back to the alternative Code language. Professor Pelzman agreed with Professor Yezer, and said that the first part of the Resolving Clause should point out the Academic Affairs Committee's errors and then request re-establishment of the recommended Code language.

Further discussion followed by Professors Harrington, Pelzman, Robinson, Johnston, Simon, and Boswell.

Professor Pelzman said he thought that while the document was on the Senate floor, the administration had ample time to make its concerns known. However, the recommendations to the Board included the General Counsel's interpretation, which included alterations to what the faculty produced, and that is what the Board accepted. That amounted, he said, to adding another layer to the process of shared governance, which is not included in the Faculty Code.

Professor Johnston agreed with Professor Pelzman's assessment – the process followed was that the General Counsel's Office had input on changes at several points, including a subcommittee of the PEAf, and the PEAf itself, where it had an opportunity to present its point of view. For the General Counsel's Office to be allowed input after consideration by the Faculty Senate, he said, was the opposite of shared governance.

Professor Wilmarth then moved to amend the final Whereas Clause as follows: the words "revisions to" be stricken, and the words "the above-described seven new provisions" be substituted therefor, and the same language be substituted in the First Resolving Clause. He further moved that a Second Resolving Clause be added to read as follows:

- (2) That the Faculty Senate reaffirms its commitment to the principles and established practice of shared governance within the University and expresses its strong conviction that amendments to the Faculty Code should be made only after such amendments have first been presented to the Faculty Senate for its review and recommendation.

The amendments were seconded. The question was called, and the Wilmarth amendments passed.

Professor Park said that he found it quite offensive that the University Counsel changed the language of Resolution 99/2 between the time it was considered in the Senate, and forwarded to the Academic Affairs Committee of the Board. It was one thing, he said, to forward the Resolution with an addendum of their making with suggested changes, but he thought that under Article IX.B of the Code it seemed to him that faculty-administration consultations should be precisely represented to the Board and that the Board should hear the faculty speak with its own voice. He then moved the following language as a Third Resolving Clause:

- (3) That hereafter the Faculty Senate asks, consistent with Section IX.B. of the Faculty Code, that Faculty Senate resolutions and reports be forwarded to the Board without modification, whether accompanied by additional administration recommendations, or not.

Professor Park's motion was seconded. The question was called, and Professor Park's amendment was passed. The question was then called on the original motion, as amended, and Resolution 00/5, as amended, was adopted. (Resolution 00/5, as amended, is attached)

INTRODUCTION OF RESOLUTIONS

No resolutions were introduced.

UPDATE ON THE HEALTH AND WELLNESS CENTER AND SMITH ATHLETIC CENTER BY ADMINISTRATIVE REPRESENTATIVE

Vice President Lehman said that the update would have to be postponed until the April or May meeting of the Senate, as discussions about use of the Smith Center and the rates for use of the Wellness Center had not yet been finalized. Professor Mergen told the Senate that the Athletic Council, of which he is a member, had had a report from the Athletic Director earlier in the week which did set forth a fee schedule, and that a decision to open the Center before it was actually finished might be made. He said that he thought there was some sort of problem going on, and that, if the Senate was concerned about this, the sooner it receives a report, the better.

ANNUAL REPORT ON RECRUITMENT AND APPOINTMENT OF WOMEN AND FACULTY OF COLOR BY VICE PRESIDENT DONALD R. LEHMAN

Vice President Lehman distributed the Report and noted that it had been prepared somewhat differently than in prior years, particularly in separating out data from the Medical Center. He also observed that the composition of student bodies across the country has changed, so that women now comprise the majority, both at the undergraduate and Master's level. However, this gender shift is not reflected nationally in the faculties of universities. At GW, 58% of undergraduates are women, and the faculty situation here mirrors that of other universities in terms of its composition and of the role models present in the faculties who are doing the educating.

Vice President Lehman noted that last year, Professor Captain had requested the inclusion in the Annual Report of data which would compare GW's faculty situation relative to other local institutions. This information was included, but data from 1999 could not be readily abstracted from the database, so statistics from four years prior were set forth. Vice President Lehman said he was hopeful that the 1999 data could be made available in the future.

Taken as a whole, Vice President Lehman noted that the data presented show that other local universities have had somewhat more success than GW has, especially relative to the recruitment of women faculty. This is particularly true in senior faculty ranks, with a somewhat different picture in the junior ranks. Still, he said, it's a very clear indication of where GW stands, and shows that much remains to be done in terms of recruitment. He said he could not emphasize strongly enough the need at the departmental level to put out the extra effort necessary on a continual basis to recruit women and minority faculty, and to create networks which enable GW to attract them. The Vice President then proceeded to point out highlights of the Report.

Vice President Lehman also said that the University has been working very hard to improve the climate of the campus for faculty. Last year, the Committee on the Status of Women Faculty and Librarians initiated the formation of a Mentoring Committee, to reinforce and enhance mentoring already taking place in many of the schools. Professor Galston has agreed to chair the Committee, which meets monthly. The Senate will shortly receive

information from the Committee on salary equity across the University, as this report has been transmitted to the administration. Since it was just given to him that morning, he had not had the opportunity to read it, but, had only skimmed the report's conclusions. Vice President Lehman also said that the University must continue its commitment in this area as well.

Following the Vice President's presentation, Professor Wilmarth directed the Senate's attention to Table 4 and asked Vice President Lehman to comment if possible on long-term trends and the University's success in creating a more diverse faculty. Vice President Lehman responded that he thought Table 9 was the most informative with regard to positive steps forward in these efforts, but it is clear that faculty composition does not yet reflect that of the student body. This is true, both with regard to the proportion of women faculty, and even more so of minority faculty, he said.

Professor McAleavey reiterated a request that he made last year to include information on adjunct faculty in the Annual Report. Vice President Lehman apologized for the oversight and asked Assistant Vice President Cohen if that information could be made available. She responded that the method of collecting part-time faculty data has changed recently, making it difficult to get accurate counts. However, if agreement can be reached on the total numbers, it should not be a problem to report by gender and race/ethnicity.

Professor Yezer observed what he construed to be a 50% failure rate in recruitment, and he said that this paralleled the experience of his department. He then commented upon the small pool of recruits and the role of tenure criteria in faculty selection which makes it difficult to give weight to almost anything else. Vice President Lehman agreed that the University is becoming a more selective institution in terms of faculty hiring.

Professor Captain thanked the Vice President for presenting the report each year, and also for his efforts to listen to faculty concerns. She thought that it is clear that, while much remains to be done, real progress has been made. Vice President Lehman responded by thanking Associate Vice President Annie Wooldridge and Assistant Vice President Peggy Cohen for their work in preparing the Report.

Professor Haque said that he thought it would be useful in the future to include data in the Report about student population information on the proportion of females and minorities, as this would be good background information. Professor McAleavey expressed his congratulations to President Trachtenberg and Vice President Lehman for maintaining the offer to departments to hire candidates of color if they rise to the top of the hiring pool. He said this was happening in his department this year, and the offer has been very helpful. (The Report is attached.)

STATEMENT FROM FISCAL PLANNING AND BUDGETING COMMITTEE AND THE LIBRARIES COMMITTEE REGARDING INCREASED FUNDING FOR THE LIBRARY

Before reading the statement, Professor Lindahl commented that, although he and Professor Griffith (Chair of the Fiscal Planning and Budgeting Committee) had both worked on the statement, Professor Griffith was absent from the Senate today, and so he (Lindahl) had made some final revisions. He said University Librarian, Jack Siggins, had seen an earlier version of the statement, and that that version had not been substantively changed. The statement was also circulated to members of the Libraries Committee, and no objections to the statement were forthcoming. Professor Lindahl also said that the contents of the statement were conditioned on information from an unofficial source (The Hatchet) which reported that a student referendum on Library funding had passed. Professor Lindahl then read the following statement:

The Chairs of the Committees on Libraries, and Fiscal Planning and Budgeting would like to draw the attention of the Faculty Senate and faculty generally to an important feature of the budget proposed for the University in FY 02. It now appears that the Gelman Library will receive a substantial increase to its funding for the next fiscal year: approximately \$1 million, after the recent vote in a student referendum, from which the Gelman Library will receive approximately \$250,000 from a "student activities fee."

Both Committees have been arguing for several years that the Gelman Library has been and is being seriously underfunded—most recently in the Report to the Senate on "Benchmarks for Administrative, General and Libraries," prepared by Professor Kwoka of the Fiscal Planning and Budgeting Committee. We are therefore happy to acknowledge that the University Administration in the upcoming budget allocation has taken a significant step towards rectifying this budget shortfall. The amount of \$1 million is an increase that represents a large step towards a level of funding that would make us more comparable with our peer institutions in meeting the needs of our students and faculty.

University Librarian Siggins has informed us that the additional resources available next year will allow the Gelman Library to improve collections, with emphasis on the needs of the undergraduates.

Librarian Siggins expressed his personal and professional thanks to members of the Senate for the support they have shown for the Library over the years, and particularly this year, as Library staff explained some of the issues facing the Library to the Senate. He also thanked Professor Lindahl, the members of the Senate Libraries Committee, and Professor Griffith, and the members of the Senate Fiscal Planning and Budgeting Committee. He also noted that the report presented to the Senate by Professor John Kwoka was not only an extraordinary work of analysis that had taken a great deal of time, but also had been very instructive as to how far the

Library needed to go, and where it stood with regard to other institutions. Librarian Siggins also thanked President Trachtenberg for leading the process of increased funding for the Library, and Vice Presidents Lehman and Katz for their support. Librarian Siggins added that the Library staff was very appreciative and would commit themselves even more than they have in the past to meeting the goals and challenge that the University has put forward by granting increased funding. This was a significant change, he said, that he thought would mark a turning point in the process that the University has undertaken to rise into the very first ranks of great institutions in this country. He concluded by reiterating his appreciation to the Senate for the support it has given as a body to help improve funding for the Library. In response to a question by Professor McAleavey, Vice President Lehman clarified that the funding was a continuous base-budget increase, not a one-time allocation.

REPORT ON THE STATUS OF THE COLLEGE OF PROFESSIONAL STUDIES

Vice President Lehman reviewed the procedures already undertaken regarding approval of the College of Professional Studies (CPS). He reminded the Senate that at the October meeting of the Board, the overall structure of CPS and the granting of Associate, Bachelor's and Master's degrees was approved based on materials of the Joint Task Force and others submitted by himself and Vice President Katz. The George Washington Learning Solutions (GWLS) was also approved in principle pending submission of a full business plan, he said.

At the Board's Academic Affairs Committee meeting in February, 2001, Vice President Lehman said that a business plan for GWLS was submitted which outlined the financial and legal aspects of the proposal, as well as the governance and organizational structure of GWLS which had been requested. The financial aspects of GWLS had already been reviewed and approved by the Board's Finance Committee. A thorough discussion of all aspects of the proposal was held, at which the Chair of the Executive Committee of the Faculty Senate was present. Following approval of the financial information by the Academic Affairs Committee, Vice President Lehman said, a copy of this financial information was given to Professors Griffith and Cherian (Senate Fiscal Planning and Budgeting Committee). He said it was his understanding that they would work with Associate Vice President Boselovic's Office to understand all of the details so that a report to the Faculty Senate could be made.

Vice President Lehman pointed out that the discussion of the CPS in the Academic Affairs Committee centered on the proposal to have one person serve as both Chief Executive Officer and Dean of the College. The discussion was mixed, but in the end the one-person proposal was accepted, at least in the early stages of the College, because it seemed the best way to accomplish the CPS mission of trying to develop business by forming strategic alliances with external organizations. Discussion was also held concerning the GWLS Board of Directors, which will have a mixture of Trustees, the VPAA and VP&T, and some outside directors involved in the markets from which GWLS would solicit business. The composition of the Board could change, he said, depending upon experience. The GWLS is an experiment and not

everything is certain, but it is hoped that it will re-position GW in the market, basically at the Master's level, he said.

Vice President Lehman advised the Senate that his next task would be selecting a Dean for the College, basically following the steps laid out in the Task Force Report which the Senate accepted as the guiding principles for establishment of the College. The Task Force Report provided that the Dean would be chosen by the President in consultation with the Vice President for Academic Affairs from a list of nominees proposed by a Special Committee whose members would be appointed jointly by the Vice President for Academic Affairs and the Deans of the Schools most likely to be affected by the CPS – those specifically named being Education, Engineering, Business, Arts and Sciences, Public Health, and the Elliott Schools. Three members, he continued, had already been nominated for the Special Committee by Deans, and the rest were expected. Following the selection of a Dean for the CPS, Vice President Lehman said that the next step would be formation of the Deans' Council and the very important step of establishing the bylaws for the College. Following those steps, he concluded, any exceptions to the Faculty Code, anticipated in the Task Force Report, would be requested by the new Dean and be brought before the Faculty Senate.

Professor Wilmarth inquired as to when degree programs might begin to be offered by the College. Vice President Lehman replied that degree programs would only be offered if there would be some type of interdisciplinary need to do that, and then only if the University did not have an existing means to accomplish it. There was one distance learning proposal, he said, that had come as a total surprise to himself and Associate Vice President Whitaker, but he thought that even if it continued along the proper path to development, it might be a year to 18 months before it was established.

Professor Paul Swiercz, School of Business and Public Management, said he was very concerned about the CPS, most notably the change in the Faculty Code, and the degree to which the business plan is premised upon the change in the Code. He wanted to know why the change in the Code was being delayed until after such time as the CPS has been studied and created, and a Dean is in place, and everything is institutionally in place to create the college and grant degrees. If the change in the Code is critical, he argued, then the change should be put before the faculty now and debated. If the change is not critical, then he thought that it should be withdrawn from the proposal or at least the faculty informed as to its criticality.

Vice President Lehman replied that the Task Force had spent a great deal of time discussing these aspects of the CPS proposal. What he took away from the Task Force's deliberations was the thought they could identify those possibilities relative to a change in the Code that would be most likely to come forward. He added that once the CPS bylaws were settled, he did not know that there would necessarily be as many changes as were contemplated by the Task Force, or even, specifically, all of those anticipated by the Task Force. Finally, he said that there was one change he thought was very clear, and that was the fact that there will not be any tenured faculty in the CPS, and he thought that that would be the main exception he would expect.

Professor Duff said his sense of the situation was that some of the Code changes anticipated might have to be made, but these were possibilities and not certainties, and that the Code should not be changed if it was not necessary.

Professor Swiercz pointed out that the CPS proposal clearly states that a Code change was being anticipated, and that if this was so central to the business plan, the question of what happens if the Code is not changed should be considered. He also said he was very anxious about changing the Code and creating a degree-granting institution without any tenured faculty. He said he had no vision in his mind as to how there could be shared governance without any tenured faculty to share the governance with. He said he thought that changing the Faculty Code and denying our fellow academicians the right to the academic freedoms that we enjoy, was a very, very questionable thing to do, and to build a business plan around that was just as questionable.

Professor Boswell said he did not think his response would be fully satisfactory, but that the rationale was that the Dean's Council of CPS would consist of members from the various schools involved in the CPS programs, and that this group would basically control the academic personnel policies of the College. This was deemed appropriate for a College that was constantly developing new programs. Professor Swiercz replied that he was just in disagreement with the logic of creating a College with a rolling faculty responding to variations in market demand – a notion which he deemed as being based on specious thinking. Professor Johnston spoke in favor of the Senate discussing and addressing an amendment to the Code now, and he suggested that the PEAFC Committee consider this matter. Professor Divita added that a related issue is that of the impact creation of the CPS may have on the accreditation of existing schools. Vice President Lehman said it was an issue discussed extensively in the Task Force and one to which they were very sensitive. He said that he would encourage the Senate to have a dialogue now, particularly since it had accepted the Task Force Report and the Code-change issue was a fundamental premise of the process now underway.

Professor Nagy said that one issue that came up among SBPM faculty was the question of assumptions and data given to the consulting firm, since it seems the CPS' goals have been trimmed in terms of anticipated revenue five years out. He wondered when the Senate would be given the data and assumptions so their sensibility could be examined. He also asked what the mechanism was for compelling a debate on this in the Faculty Senate since resolutions could be made, but the Executive Committee was free to dismiss resolutions without comment.

Vice President Lehman commented that both Professors Cherian and Griffith were given copies of the financial information, and that Don Boselovic had indicated very clearly that he would be glad to entertain questions and explain anything that is not understood, including refinements made necessary by things not taken into consideration by the Task Force. He further said that it was up to the Fiscal Planning and Budgeting Committee to do a very thorough examination of the materials and that questions could be asked and additional information provided if indicated. He said he anticipated that the FP&B Committee would bring all of the information to the Faculty Senate.

Professor Nagy then turned to his second point and asked when the Senate was going to debate the issue of changes to the Faculty Code, and when it was going to look at the consequences, if any, of changing the Code, and whether it makes sense to do that. He also asked when the Senate would attack frontally the very vexing issue of accreditation because, if memory served, a decision was made to give up a very lucrative entity that looked to him a lot like the CPS so that SBPM could be accredited. Vice President Lehman pointed out that the latter decision was made for a different reason than accreditation.

Vice President Lehman concluded the discussion by saying that he thought the Faculty Senate had all the mechanisms in place to consider the CPS' developments, including appropriate working committees, and that he encouraged the Faculty Senate to explore the particular issue of faculty composition in the College since it had been on the table for some time. He reiterated that he would more than willing to investigate and talk about the issue.

GENERAL BUSINESS

I. On behalf of the Executive Committee, Professor Boswell nominated the following faculty for election to the Nominating Committee for the Executive Committee for the 2001-02 Session: Professors Philip W. Wirtz, (SBPM) Convener, Harvey Feigenbaum (ESIA), Linda L. Gallo (SMHS), Robert Harrington (SEAS), Carol R. Hoare (GSEHD), David W. McLeavey (CSAS), and Arthur E. Wilmarth, Jr., (GWLS). The entire slate was approved.

II. REPORT OF THE EXECUTIVE COMMITTEE

The report of the Executive Committee by Professor Boswell, Chair, is enclosed.

III. INTERIM REPORTS OF SENATE STANDING COMMITTEES

There were no interim reports.

BRIEF STATEMENTS (AND QUESTIONS)


Professor Wilmarth asked a question on behalf of Professor John Banzhaf of the Law School concerning whether or not a revised Policy on Sexual Harassment would be received by March 15th, and Vice President Lehman responded that the Committee of Five undertaking the revisions was on schedule, as far as he knew.

Professor Wilmarth then asked, on behalf of Professor Banzhaf, if the administration would be able to provide statistics under the existing Interim Policy and Procedures regarding the types of sexual harassment claims that have been made and resolved so that the Senate might have some notion of how claims have been handled under the University's existing policy before the Senate begins its debate on the revised Policy.

Vice President Lehman said that he did not know the answer, but would ask the General Counsel's Office to provide this information.

ADJOURNMENT

Upon motion made and seconded, Vice President Lehman adjourned the meeting at 4:35 p.m.


Tim Terpstra
Secretary

A RESOLUTION IN MEMORY OF
ROBERT KRAMER
DEAN, NATIONAL LAW CENTER
THE GEORGE WASHINGTON UNIVERSITY

With admiration, respect and gratitude, The George Washington University and the Faculty of the Law School recognize the substantial and lasting contributions to the Law School and to the University of Robert Kramer, Dean of the National Law Center from 1961 until his retirement in 1979.

Robert Kramer came to The George Washington University from the Department of Justice, where he had served with great distinction as Assistant Attorney General under President Eisenhower. He was brought to The George Washington University to be dean and provided the law school with leadership of integrity, vision and the highest professionalism for eighteen years.

Prior to his appointment as Assistant Attorney General, Robert Kramer had established a national reputation as a scholar and writer on the law faculty of Duke University, serving there from 1947 to 1959. He joined that distinguished faculty from private practice. During World War II, Robert Kramer served in the Judge Advocate General's Corps of the Army of the United States, rising to the rank of Lieutenant Colonel and was discharged in 1945. Prior to the War, after graduating from law school, Robert Kramer had worked in private practice, and then as an attorney for the recently established National Labor Relations Board. In that agency in that period of the heyday of the New Deal and the flowering of administrative law as a major body of new legislative initiatives and of positive control of various sectors of the national economy, Robert Kramer was essentially present "at the creation" of modern public law. This was a heady time of new laws, new lawyers, and new governmental initiatives. Robert Kramer drew on this experience for his highly regarded insights and prescriptions for administrative and public law over the balance of his career.

Robert Kramer was born in Davenport, Iowa and was from childhood a superior student, an avid reader and a person with a deep interest in the classics. He attended Harvard College on a scholarship established to recognize exceptionally talented students who lived along the Rock Island Railroad Line. After graduating from Harvard College, Robert Kramer continued in the law school, and in 1938, at the height of the Great Depression, he became an associate in a law firm. It was from that firm that he moved to the National Labor Relations Board as a young attorney, and then joined the Army during the World War II mobilization.

At The George Washington University, Dean Kramer established a special endowment for the National Law Center, supported the initiation of a variety of new programs, including highly visible and effective consumer advocacy programs, programs in urban law, environmental law, research institutes in public law and clinical law programs. He provided important sustaining support for the law school's already distinguished programs in intellectual property, government contracts and international law. Dean Kramer was himself an animated, effective

and well-liked classroom teacher. He undertook a significant expansion of the law faculty, and he was responsible for the construction of a new law library.

The high regard of the faculty for Dean Kramer was matched by its deep fondness for his delightful wife, Mary Rainey Gaston. They were married for 52 years before her death in 1993. They are both remembered by the law faculty, past and present, as individuals of quite extraordinary dignity, intelligence, civility and service. To those who knew them, they will always represent the Law School's culture of new confidence, excitement and achievement in the period of its emergence into prominence among the first ranks of national law schools. Dean Robert Kramer commanded the respect and the admiration appropriate to his strong character, integrity and distinguished scholarship throughout his deanship, and continues to command those sincere feelings among all who knew him.

Be it resolved, Mr. President, that these remarks be spread on the Minutes of this Senate meeting, and sent with our deepest gratitude and respect to the family of Dean Robert Kramer.

Faculty Senate Meeting
March 9, 2001

Robert E. Park
Professor of Law

TRIBUTE TO THE MEMORY OF
PROFESSOR JOSEPH BENJAMIN LEVY

Dr. Joseph Benjamin Levy, Professor Emeritus of Chemistry, died Wednesday, February 7, 2001.

Professor Levy, who joined the Chemistry Department in 1965, completed his doctoral work at Harvard University in 1948 under the direction of Paul D. Bartlett, followed by post-doctoral training at Columbia University with Louis P. Hammett, who were both renowned scholars in the field of physical organic chemistry. Professor Levy began his career in the private sector before joining The George Washington University, where he held the position of Professor of Chemistry for 27 years (1965-1992) of service.

Professor Levy's research initially focused on the decomposition of some fluorinated amines and related structures, processes of interest in rocket propulsion. His interest in fluorinated materials continued as thread throughout the remainder of his career as he studied the mechanisms of both the formation and decomposition of fluorinated materials. Later studies included nitroalkane decomposition and cyclopropane hydration reactions. Many of his over 40 papers were published in very highly regarded journals such as the Journal of the American Chemical Society, the Journal of Physical Chemistry and the International Journal of Chemical Kinetics. Professor Levy's interest also focused on creating an experimental interdisciplinary science course aimed at non-science graduate students in policy programs. Service to the University also included several terms on the University Senate as well as membership in the Executive Committee of the Senate.

He is remembered by his colleagues in the Department as a voice of reason and civility who never forgot his roots of integrity and honesty and the wisdom of his faith.

Michael M. King
Professor of Chemistry

Faculty Senate Meeting
March 9, 2001

A RESOLUTION WITH RESPECT TO ACTION TAKEN BY THE
UNIVERSITY'S BOARD OF TRUSTEES IN RESPONSE TO
RESOLUTION 99/2, "A RESOLUTION TO AMEND THE 1996
FACULTY CODE OF THE GEORGE WASHINGTON UNIVERSITY" (00/5)

WHEREAS, subsequent to its two-year study a special committee of faculty and administration representatives recommended revisions to the faculty grievance procedures, and these were considered with input from the University's General Counsel office by the Committee on Professional Ethics and Academic Freedom, which then prepared Resolution 99/2; and

WHEREAS, on December 10, 1999, the Faculty Senate adopted Resolution 99/2, "A Resolution to Amend the 1996 Faculty Code of The George Washington University," for the purpose of revising the faculty grievance procedures set forth in Article X of the Faculty Code and Section E. of the Procedures for the Implementation of the Faculty Code; and

WHEREAS, on October 13, 2000, in response to a request by the University's Administration, the Faculty Senate adopted Resolution 00/2 for the purpose of amending one provision of Section E. of the Procedures for the Implementation of the Faculty Code as revised by Resolution 99/2; and

WHEREAS, the University Administration in forwarding Resolutions 99/2 and 00/2 to the Board of Trustees recommended changes, which the Faculty Senate had not had an opportunity to consider, to seven provisions of the Revised Section E. Procedures, and these were adopted by the Board on October 20, 2000; and

WHEREAS, as shown in the Exhibit accompanying this Resolution, several of the changes are of special concern because they altered the provisions in a substantive and significant manner, including a change in the text of Section E.5.a) that improperly substituted "findings and recommendations" for "final decision," and the heading of Section E.6., which similarly improperly substituted "Recommendations" for "Remedies," both of which changes intentionally and erroneously described a Grievance in terms inconsistent with the true nature of such a procedure as an arbitration proceeding, where "decisions" and "remedies" are rendered, not mere "findings" or recommendations" which the University administration can follow, or ignore, in its discretion; such changes in terminology were previously proposed by the Administration on several occasions but were rejected unanimously by the Faculty members of both a Subcommittee and full Committee of the Professional Ethics and Academic Freedom Committee of the Faculty Senate; and

WHEREAS, of further great concern is the seventh change which altered the second sentence of Section E.6. in a substantive and significant manner, because (i) this change prohibits a Hearing Committee and the Dispute Resolution Committee from rendering any award of "monetary damages," which term was substituted for "damages for nonpecuniary losses, so that such things as loss of wages, loss of research grant, etc., could not be included in a Grievance decision, and (ii) an identical change,

previously proposed by University officials, was formally presented to and rejected by the Faculty Senate when it adopted Resolution 99/2 on December 10, 1999; and

WHEREAS, it appears that the Board did not understand, when it adopted the Revised Section E. Procedures, that the seven changes recommended by University officials had not been previously approved by the Faculty Senate; and

WHEREAS, Article IX of the Faculty Code recognizes the principle of shared governance between the regular, active-status faculty, the officers of the Administration, and the Board of Trustees; and

WHEREAS, in accordance with this principle of shared governance the Board has consequently adopted amendments to the Faculty Code only after such amendments have been previously presented to the Faculty Senate for its review and recommendation; and

WHEREAS, the Faculty Senate has not had an opportunity to review, debate and act on the ~~revisions to~~ above-described seven new provisions of Section E. of the Procedures for the Implementation of the Faculty Code as approved by the Board;

NOW, THEREFORE BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

(1) That the Faculty Senate requests that the Board of Trustees, in accordance with established practice, provides an opportunity for the Faculty Senate to consider and make recommendations with respect to the ~~revisions to~~ above-described seven new provisions of Section E. as approved by the Board; and

(2) That the Faculty Senate reaffirms its commitment to the principles and established practice of shared governance within the University, and expresses its strong conviction that amendments to the Faculty Code should be made only after such amendments have first been presented to the Faculty Senate for its review and recommendation; and

(3) That hereafter, the Faculty Senate asks, consistent with Section IX. B. of the Faculty Code, that Faculty Senate resolutions and reports be forwarded to the Board of Trustees without modification, whether accompanied by additional administration recommendations or not.

Professional Ethics and Academic Freedom Committee
February 23, 2001

Adopted, as amended, March 9, 2001

EXHIBIT

4. Formal Proceedings

....

b) Hearing Committee and Hearing Officer

....

4) On the determination that a hearing is warranted, the Hearing Officer shall promptly convene the Hearing Committee, which shall establish a schedule for the hearing. Grievances shall be heard and decided with reasonable dispatch, and, ordinarily, shall be completed by the Hearing Committee within three months after the determination that a hearing is warranted. However, due consideration shall be given to the University's normal academic calendar.

5) ~~All three~~ Members of the Hearing Committee shall be present during the hearings and deliberations of the Committee, except that the presence during part of the proceedings of one of ~~them~~ the two not serving as the Hearing Officer ~~during part of the proceedings~~ may be waived by agreement of the parties.

6) It shall be the duty of the Hearing Officer to convene promptly the meetings of the Hearing Committee and to preside; to assure the expeditious disposition of the case; to rule on all questions of procedure necessary to the conduct of the hearing, subject to being overridden by the other two members of the Hearing Committee; to control the development of testimony and of evidence in the record; to prepare or assign the writing of an opinion on behalf of the Hearing Committee; and to advise the Hearing Committee in its deliberations on questions of substance and procedure. The Hearing Officer is a full member of the Hearing Committee, and the Hearing Committee shall decide all ultimate questions of fact, substance, procedure, or policy, by majority vote. The Hearing Officer shall sign dispositive orders on behalf of the Hearing Committee.

7) Members of the Hearing Committee, members of the Dispute Resolution Committee, and the parties shall avoid ex parte communications bearing on the substance of the dispute.

c) Procedure for Hearings

- 1) The parties to the proceedings shall be entitled to appear in person and to be represented by counsel or other adviser.

2) A grievance procedure is not a formal judicial proceeding. Its purpose is to provide a fair evaluation of an allegation that a right or privilege has been violated. In order to achieve that end, the Hearing Committee shall have authority to call any material witness who is a member of the University faculty, administration, or staff and any other person who is willing to testify; to question parties and witnesses; to exclude matters it deems irrelevant; to place reasonable limits on arguments, the presentation of evidence, and the questioning of witnesses by the parties. The University will make a reasonable effort to facilitate the ~~shall use its best efforts to assure the~~ appearance of all faculty, administration, and staff reasonably called to testify.

3) The procedure at the hearings shall be informal but shall comply with the requirements of fairness to the parties. The Hearing Committee is not required to comply with rules of evidence applicable in courts of law and may receive any relevant evidence that is not privileged. The Hearing Committee may decline to consider evidence when its probative value is outweighed by considerations of unfair prejudice, confusion of the issues, undue delay, waste of time, or needless presentation of cumulative evidence. The parties shall be entitled to testify on their own behalf; to call as material witnesses any member of the University faculty, administration, or staff and any other person who is willing to testify; to present written and other evidence; and to cross-examine witnesses called by other parties. A party shall be entitled to inspect and copy, in advance of the hearing, all relevant documents in the control of the other party and not privileged and may offer such documents or excerpts therefrom in evidence.

- 4) The parties shall be entitled to present opening and closing statements.

5) A stenographic record or tape recording of the hearings shall be made and one copy, which shall be available to all parties, kept on file by the University.

6) The hearings shall be open to the public unless, on the motion of a party or the Hearing Committee, the Hearing Committee shall determine that it is in the best interest of the University and the parties that the hearings be closed.

7) At the conclusion of the presentation of evidence and argument from both sides, the Committee shall convene in closed session to deliberate and reach a decision. In rendering its decision, the Hearing Committee shall not substitute its judgment for that of the maker of the decision being challenged. Rather it shall determine whether the

Grievant has established by clear and convincing evidence that he or she has suffered a substantial injury pursuant to Article X.B.

8) The Hearing Committee shall render its findings and recommendations in a written opinion that shall state the number of members subscribing to the opinion and shall include dissenting opinions, if any. This opinion shall be submitted to the Chair of the Dispute Resolution Committee, and copies shall be transmitted to the parties and to the Chair of the Executive Committee of the Faculty Senate.

9) The hearing procedures shall be concluded and the Hearing Committee's findings and recommendations shall be rendered as soon as practicable.

5. Appeals

a) Any party may appeal the ~~final decision~~ findings and recommendations of the Hearing Committee by filing a notice of appeal with the Chair of the Dispute Resolution Committee and sending copies thereof to the Chair of the Executive Committee of the Faculty Senate and to the other parties. The notice of appeal must be filed within ten calendar days of the receipt of the decision of the Hearing Committee.

b) An appeal shall be heard by members of the Dispute Resolution Committee who were not members of the Hearing Committee, provided that members of the Dispute Resolution Committee who were disqualified from sitting as members of the Hearing Committee and members of the same department as the Grievant shall not participate in the hearings of the appeal. A quorum for hearing an appeal shall be two-thirds of those members of the Dispute Resolution Committee eligible under the terms of this section.

c) The parties to an appeal shall be entitled to present written and oral argument. However, evidence not introduced in the hearing may not be considered on appeal.

d) The Dispute Resolution Committee shall decide by majority vote and render an opinion in writing, sustaining, modifying, overruling, or remanding the decision of the Hearing Committee.

6. Remedies Recommendations

A Hearing Committee and the Dispute Resolution Committee may recommend that the University action being challenged be upheld, modified, reconsidered or remanded under specified conditions, or reversed, in whole or in part. A Hearing Committee and the Dispute Resolution Committee may not include as part of their recommendations any monetary damages, ~~for nonpecuniary losses~~, punitive damages, or

any other actions or measures outside of the scope of the underlying University action being challenged.

7. Final Disposition

In the absence of a timely appeal filed by either party from a decision of a Hearing Committee, or after a decision of the Dispute Resolution Committee, such decision shall be transmitted to the parties, to the Chair of the Executive Committee of the Faculty Senate, and to the Vice President for Academic Affairs. The decision of the relevant Committee shall be deemed final and shall be implemented by the University unless the Vice President for Academic Affairs determines that there are compelling reasons not to implement the relevant Committee's decision. In the event of such a determination, the Vice President shall transmit his or her determination (including an explanation of such compelling reasons) and recommendation, and the record of the case through the President of the University to the Board of Trustees, or, at the election of the Grievant, solely to the President, with copies to the Grievant and the Chairs of the Dispute Resolution Committee and the Executive Committee of the Faculty Senate, for a prompt decision of the President or the Board of Trustees.

RECRUITMENT AND RETENTION OF WOMEN FACULTY AND FACULTY OF COLOR

**Report to the Faculty Senate
by the
Vice President for Academic Affairs¹
March 9, 2001**

PURPOSE

This report outlines the current status of the recruitment, appointment, promotion, tenure, and retention of, and the climate for, women faculty and faculty of color at the University. In the spirit of Faculty Senate Resolutions 89/13 and 90/7, this report is provided to inform decisions regarding future activity in these areas.

THE STATE OF RECRUITMENT AND RETENTION AT GW

The data, upon which this and subsequent tables and attachments are based, were provided by the Office of Institutional Research. The data do not include deans, administrators with faculty rank, research faculty, visiting faculty (except where noted), affiliated faculty² or non-tenure accruing instructors in SMHS.

RECRUITMENT ACTIVITY

In 1999-00, one hundred-ninety nine (199) authorized searches (national for regular faculty and modified for some visiting faculty) for appointments effective with the 2000-01 academic year resulted in one hundred-nine (109) hires, of which seventy-eight (78) were regular full-time appointments and thirty-one (31) were visiting appointments. Tables 1 and 2A provide in detail the outcome of this activity. Table 1 represents a 16% increase in the total number of hires but a 19% decrease in the number of newly hired women compared to the prior year. The number of newly hired faculty of color increased by 2 (0.3%).

¹ The VPAA is grateful to the Assistant Vice Presidents for Faculty Recruitment and for Institutional Research for their major contributions to the compilation and preparation of this report.

² The GW Medical Faculty Associates (MFA) was recently incorporated as an independent nonprofit clinical practice group affiliated with the University. Under the affiliation agreement, because they have appointments in the the SM&HS, MFA recruit faculty under GW policies and procedures. Therefore, the MFA faculty are included in the report.

TABLE 1
New Full-Time Faculty
October 1, 1999 through September 30, 2000

	MEN		WOMEN		TOTAL	
White	42		18		60	
Black	1		3		4	
Asian	5		2		7	
Hispanic	2		0		2	
Unknown	3		2		5	
TOTAL	53	67.9%	25	32.1	78	
Minorities	8	15.1%	5	20.0	13	16.7%

TABLE 2A
New Visiting Appointments
October 1, 1999 through September 30, 2000

	MEN		WOMEN		TOTAL	
White	14		12		26	
Black	0		2		2	
Asian	2		1		3	
Hispanic	0		0		0	
Unknown	0		0		0	
TOTAL	16	51.6%	15	48.4	31	
Minorities	2	12.5%	3	20.0	5	16.1%

Table 2B shows the total number of faculty in "visiting" positions. These positions allow us to meet emergency staffing needs or to cover the absence of faculty on sabbatical or other leaves. University policy prevents individuals from holding a "visiting" position for more than two (2) academic years. Because they are temporary positions, turnover in this category is understandably high.

TABLE 2B
All Visiting Appointments
Academic Year 2000/01

	MEN		WOMEN		TOTAL	
White	27		19		46	
Black	0		2		2	
Asian	4		1		5	
Hispanic	0		1		1	
Unknown	0		0		0	
TOTAL	31	57.4%	23	42.6%	54	
Minorities	4	12.9%	4	17.4%	8	14.8%

Table 3 shows changes that occurred in the faculty profile from 1999-00 and 2000-01. Overall, the size of the faculty increased slightly (by 13 faculty members). The number of faculty of color also shows a slight increase due to a 15% increase in the number of Black faculty (5 faculty members). The number of women faculty remains essentially unchanged (+1). However, as the reader will see later, during the same period, twenty-seven (27) women faculty left the University (See Faculty Retention).

TABLE 3
Full-time Faculty and Percent Change Between
Academic Years 1999/00 and 2000/01

	MEN			WOMEN			TOTAL		
	00/01 Number	Change from 99/00 Percent	Number	00/01 Number	Change from 99/00 Percent	Number	00/01 Number	Change from 99/00 Percent	Number
White	586	0.3%	2	245	1.7%	4	831	0.7%	6
Black	15	36.4%	4	23	4.5%	1	38	15.2%	5
Asian	65	3.2%	2	27	-10.0%	-3	92	-1.1%	-1
Hispanic	11	10.0%	1	7	-12.5%	-1	18	0.0%	0
Unknown	3	N/A	3	1	0.0%	0	4	N/A	3
Total	680	1.8%	12	303	0.3%	1	983	1.3%	13
Minorities	91	8.3%	7	57	-5.0%	-3	148	2.8%	4

Table 4 compares the faculty profile in 1988-89 and 2000-01 and shows the degree of success we achieved in enriching faculty diversity. Over the twelve-year period, the total number of faculty members increased (14% or 122 faculty members). While the number of White men decreased (4% or 24 faculty members) during the period, the number of women faculty and faculty of color grew substantively (49% or 100 and 100% or 74, respectively). This table also illustrates that while it is important to examine the profile of the faculty on an annual basis, annual fluctuations are not always an accurate barometer of our degree of success or failure. Although we continue to show long-term gains in the number of women faculty and faculty of color, we must remain cognizant about the need to achieve further diversity, particularly in the number of Black and Hispanic faculty members.

TABLE 4
Full-Time Faculty and Percent Change Between
Academic Years 1988/89 and 2000/01

	00/01 Number	MEN		00/01 Number	WOMEN		00/01 Number	TOTAL	
		Change from 88/89 Percent	Number		Change from 88/89 Percent	Number		Change from 88/89 Percent	Number
White	586	-3.9%	-24	245	38.4%	68	831	5.6%	44
Black	15	87.5%	7	23	187.5%	15	38	137.5%	22
Asian	65	124.1%	36	27	68.8%	11	92	104.4%	47
Hispanic	11	0.0%	0	7	250.0%	5	18	38.5%	5
Unknown	3	N/A	3	1	N/A	1	4	N/A	4
Total	680	3.3%	22	303	49.3%	100	983	14.2%	122
Minorities	91	89.6%	43	57	119.2%	31	148	100.0%	74

Table 5 and Table 6 provide a multi-year view of the number of faculty promoted and/or awarded tenure or who left the University prior to their tenure review. Between 1992-93 and 1999-00, one hundred eighty-four (184) faculty members were awarded tenure. Also during this period, seventy-two (72) faculty members left prior to their tenure notification date, 48 men and 24 women. Of those leaving prior to their tenure notification date, 9 were faculty of color. During 1999/00 all faculty leaving prior to their tenure review were White males.

TABLE 5
Faculty Promoted and Awarded Tenure 1992/93 to 1999/00 (aggregate)
By Race and Sex
Promote**

	MALE	FEMALE	TOTAL	MINORITY	BLACK	ASIAN	HISPANIC
Arts & Sciences*	79	37	116	18	2	14	2
GSEHD	5	15	20	4	1	1	2
SEAS	19	4	23	8	0	7	1
SBPM	21	12	33	8	1	7	0
LAW	11	6	17	2	1	0	1
SMHS	46	36	82	13	4	6	3
SPHHS	5	3	8	1	0	0	1
TOTAL	186	113	299	54	9	35	10

Awarded Tenure**

	MALE	FEMALE	TOTAL	MINORITY	BLACK	ASIAN	HISPANIC
Arts & Sciences*	51	29	80	18	2	13	3
GSEHD	4	9	13	3	1	0	2
SEAS	18	5	23	9	0	8	1
SBPM	22	6	28	9	1	7	1
LAW	9	5	14	1	0	0	1
SMHS	16	10	26	3	2	1	0
SPHHS	0	0	0	0	0	0	0
TOTAL	120	64	184	43	6	29	8

*Arts and Sciences includes both CSAS and ESIA.

** Faculty who are tenured appear in both charts.

TABLE 6
Tenure-Track Non-Tenured Faculty Terminating 1992/93 to 1990/01 (aggregate)
By Race and Sex
Left Before Tenure Notification Date

	MALE	FEMALE	TOTAL	MINORITY	BLACK	ASIAN	HISPANIC
Arts & Sciences	19	8	27	2	0	0	2
GSEHD	0	1	1	0	0	0	0
SEAS	7	1	8	2	0	1	1
SBPM	5	2	7	2	0	2	0
LAW	0	0	0	0	0	0	0
SMHS	17	12	29	3	0	1	2
SPHHS	0	0	0	0	0	0	0
TOTAL	48	24	72	9	0	4	5

A continuing challenge is to attempt to circumvent attrition that might result from climate problems (i.e., isolation, mentoring, etc.) and development and support issues. Current initiatives to address this issue include (but are not limited to) exploring the feasibility of a University-wide exit interview program and building stronger support for mentoring efforts (See Campus Climate).

FACULTY RETENTION

During the period 10/1/99 and 9/30/00, seventy-six (76) regular active status faculty left the University. Reasons for leaving included death, disability, retirement, completion of temporary appointment, non-reappointment, move to part-time appointment, etc. (See Appendix H.)

Of the faculty leaving the University, forty-nine (49) were men and twenty-seven (27) were women. The faculty of color leaving included six (6) Asians (4 women, 2 men), four (4) Blacks (all women), and one (1) Hispanic (man) faculty members. Of the Asians leaving, one (1) was not re-appointed, two (2) resigned, one (1) retired and two (2) moved to part-time. Of the Black faculty leaving, one's (1) temporary contract ended, one (1) moved to part-time, one (1) retired and one (1) resigned. One (1) Hispanic faculty member retired.

Of the nineteen (19) White women faculty leaving the University, seven (7) resigned, three (3) were not reappointed, six (6) retired, one (1) moved to part-time, one (1) left on long-term disability, and one (1) died.

Faculty retention, particularly as it relates to faculty of color, underscores the need to redouble our efforts to provide adequate support and development opportunities for continuing faculty, as well as to revamp our efforts to attract and retain faculty of color. Over the next academic year, the Vice President for Academic Affairs, in consultation with the Council of Deans (COD) and department chairs, will continue to address retention issues.

INSTITUTIONAL PROFILE

On the following pages, we present the current institutional profile of GW faculty. A more comprehensive, disaggregated, school-by-school analysis of the data is located in Attachments C and F to this report.

Table 7 and Tables 7A and 7B profile the regular full-time faculty by contract status. Specifically, these Tables show that:

- While 69% of the regular faculty are men, they occupy 74% of the tenure-track positions and only 59% of the non-tenure-track positions. Women, on the other hand, comprise 31% of the faculty, but hold only 26% of the tenured or tenure-track positions and a disproportionate 41% of the non-tenure-track positions. Fifteen percent of the regular faculty are faculty of color, but they hold 13% of the tenure/tenure-track positions and 19% of the non-tenure-track positions.
- Eighty-four percent of the tenured and tenure-track positions are in the non-medical schools, while non-tenure-track positions are evenly divided between the medical and non-medical schools.

Table 7
Total Faculty
Tenured & Tenure Track Positions Combined

	MEN			WOMEN			TOTAL		
	00/01 Change from 99/00	00/01 Change from 99/00		00/01 Change from 99/00	00/01 Change from 99/00		00/01 Change from 99/00	00/01 Change from 99/00	
	Number	Percent	Number	Number	Percent	Number	Number	Percent	Number
White	439	-2.4%	-11	147	2.1%	3	586	-1.3%	-8
Black	6	0.0%	0	9	-10.0%	-1	15	-6.3%	-1
Asian	50	2.0%	1	13	0.0%	0	63	1.6%	1
Hispanic	6	-14.3%	-1	7	0.0%	0	13	-7.1%	-1
Unknown	0	N/A	0	1	N/A	1	1	N/A	1
Total	501	-2.1%	-11	177	1.1%	2	678	-1.3%	-9
Minorities	62	0.0%	0	29	-3.3%	-1	91	-1.1%	-1

Non-Tenure Track

	MEN			WOMEN			TOTAL		
	00/01 Change from 99/00		Number	00/01 Change from 99/00		Number	00/01 Change from 99/00		Number
	Number	Percent		Number	Percent		Number	Percent	
White	147	9.7%	13	98	1.0%	1	245	6.1%	14
Black	9	80.0%	4	14	16.7%	2	23	35.3%	6
Asian	15	7.1%	1	14	-17.6%	-3	29	-6.5%	-2
Hispanic	5	66.7%	2	0	-100.0%	-1	5	25.0%	1
Unknown	3	N/A	3	0	-100.0%	-1	3	N/A	2
Total	179	14.7%	23	126	-1.6%	-2	305	7.4%	21
Minorities	29	31.8%	7	28	-6.7%	-2	57	9.6%	5

Table 7A
Non-Medical Faculty Tenured & Tenure-Track Positions Combined

	MEN			WOMEN			TOTAL		
	00/01 Change from 99/00		Number	00/01 Change from 99/00		Number	00/01 Change from 99/00		Number
	Number	Percent		Number	Percent		Number	Percent	
White	364	-1.6%	-6	126	2.4%	3	490	-0.6%	-3
Black	5	0.0%	0	9	-10.0%	-1	14	-6.7%	-1
Asian	45	2.3%	1	10	0.0%	0	55	1.9%	1
Hispanic	5	0.0%	0	7	0.0%	0	12	0.0%	0
Unknown	0	N/A	0	0	N/A	0	0	N/A	0
Total	419	-1.2%	-5	152	1.3%	2	571	-0.5%	-3
Minorities	55	1.9%	1	26	-3.7%	-1	81	0.0%	0

Non-Tenure Track

	MEN			WOMEN			TOTAL		
	00/01 Change from 99/00			00/01 Change from 99/00			00/01 Change from 99/00		
	Number	Percent	Number	Number	Percent	Number	Number	Percent	Number
White	75	15.4%	10	53	-1.9%	-1	128	7.6%	9
Black	5	0.0%	0	2	0.0%	0	7	0.0%	0
Asian	7	40.0%	2	5	-16.7%	-1	12	9.1%	1
Hispanic	4	100.0%	2	0	N/A	0	4	100.0%	2
Unknown	0	N/A	0	0	N/A	0	0	N/A	0
Total	91	18.2%	14	60	-3.2%	-2	151	8.6%	12
Minorities	16	33.3%	4	7	-12.5%	-1	23	15.0%	3

Table 7B
Medical Faculty Tenured & Tenure-Track Positions Combined

	MEN			WOMEN			TOTAL		
	00/01 Change from 99/00			00/01 Change from 99/00			00/01 Change from 99/00		
	Number	Percent	Number	Number	Percent	Number	Number	Percent	Number
White	75	-6.3%	-5	21	0.0%	0	96	-5.0%	-5
Black	1	0.0%	0	0	N/A	0	1	0.0%	0
Asian	5	0.0%	0	3	0.0%	0	8	0.0%	0
Hispanic	1	-50.0%	-1	0	N/A	0	1	-50.0%	-1
Unknown	0	N/A	0	1	N/A	1	1	N/A	1
Total	82	-6.8%	-6	25	0.0%	0	107	-5.3%	-6
Minorities	7	-12.5%	-1	3	0.0%	0	10	-9.1%	-1

Non-Tenure-Track

	MEN			WOMEN			TOTAL		
	00/01 Change from 99/00		Number	00/01 Change from 99/00		Number	00/01 Change from 99/00		Number
	Number	Percent		Number	Percent		Number	Percent	
White	72	4.3%	3	45	4.7%	2	117	4.5%	5
Black	4	N/A	4	12	20.0%	2	16	60.0%	6
Asian	8	-11.1%	-1	9	-18.2%	-2	17	-15.0%	-3
Hispanic	1	0.0%	0	0	-100.0%	-1	1	-50.0%	-1
Unknown	3	N/A	3	0	-100.0%	-1	3	200.0%	2
Total	88	11.4%	9	66	0.0%	0	154	6.2%	9
Minorities	13	30.0%	3	21	-4.5%	-1	34	6.3%	2

Tables 8 and Tables 8A and B profile the regular, full-time faculty by rank—senior and junior. It is interesting to note that:

- The senior faculty in both medical and non-medical schools consist of 24% women and 76% men. However, the distribution of junior faculty in medical and non-medical schools differ—the junior faculty in medical schools consists of 52% women and 48% men; junior faculty in non-medical schools consists of 45% women and 55% men.
- Similarly, 13% of senior faculty in both medical and non-medical schools are faculty of color, while 23% of the medical junior faculty and 17% of the non-medical junior faculty are people of color.
- Last year, junior faculty were split 50%/50% between men and women. This year the split is 47% women and 53% men.
- While women faculty and faculty of color combined account for 40% of the regular faculty, they occupy 35% of the tenure/tenure-track positions, 51% of the non-tenure-track positions, 33% of the full and associate professor positions, and 58% of the assistant professor and instructor positions.

Table 8
Total Faculty
Senior Ranks – Professor and Associate Professor

	MEN			WOMEN			TOTAL		
	00/01 Change from 99/00		Number	00/01 Change from 99/00		Number	00/01 Change from 99/00		Number
	Number	Percent		Number	Percent		Number	Percent	
White	469	-1.5%	-7	134	-2.2%	-3	603	-1.6%	-10
Black	9	12.5%	1	11	-15.4%	-2	20	-4.8%	-1
Asian	44	-2.2%	-1	16	6.7%	1	60	0.0%	0
Hispanic	7	-12.5%	-1	6	-14.3%	-1	13	-13.3%	-2
Total	529	-1.5%	-8	167	-2.9%	-5	696	-1.8%	-13
Minorities	60	-1.6%	-1	33	-5.7%	-2	93	-3.1%	-3

Junior Ranks – Assistant Professor and Instructor

	MEN			WOMEN			TOTAL		
	00/01 Change from 99/00		Number	00/01 Change from 99/00		Number	00/01 Change from 99/00		Number
	Number	Percent		Number	Percent		Number	Percent	
White	117	8.3%	9	111	6.7%	7	228	7.5%	16
Black	6	100.0%	3	12	33.3%	3	18	50.0%	6
Asian	21	16.7%	3	11	-26.7%	-4	32	-3.0%	-1
Hispanic	4	100.0%	2	1	0.0%	0	5	66.7%	2
Unknown	3	N/A	3	1	0.0%	0	1	N/A	3
Total	151	15.3%	20	136	4.6%	6	287	10.0%	26
Minorities	31	34.8%	8	24	-4.0%	-1	55	14.6%	7

Table 8A
Non-Medical Faculty Senior Ranks – Professor and Associate Professor

	MEN			WOMEN			TOTAL		
	00/01 Change from 99/00			00/01 Change from 99/00			00/01 Change from 99/00		
	Number	Percent	Number	Number	Percent	Number	Number	Percent	Number
White	360	-0.3%	-1	105	-1.9%	-2	465	-0.6%	-3
Black	7	0.0%	0	8	-20.0%	-2	15	-11.8%	-2
Asian	35	0.0%	0	10	11.1%	1	45	2.3%	1
Hispanic	6	0.0%	0	6	0.0%	0	12	0.0%	0
Total	408	-0.2%	-1	129	-2.3%	-3	537	-0.7%	-4
Minorities	48	0.0%	0	24	-4.0%	-1	72	-1.4%	-1

Non-Medical Faculty Junior Ranks – Assistant Professor and Instructor

	MEN			WOMEN			TOTAL		
	00/01 Change from 99/00			00/01 Change from 99/00			00/01 Change from 99/00		
	Number	Percent	Number	Number	Percent	Number	Number	Percent	Number
White	79	6.8%	5	74	5.7%	4	153	6.3%	9
Black	3	0.0%	0	3	50.0%	1	6	20.0%	1
Asian	17	21.4%	3	5	-28.6%	-2	22	4.8%	1
Hispanic	3	200.0%	2	1	0.0%	0	4	100.0%	2
Unknown	0	N/A	0	0	N/A	0	0	N/A	0
Total	102	10.9%	10	83	3.8%	3	185	7.6%	13
Minorities	23	27.8%	5	9	-10.0%	-1	32	14.3%	4

Table 8B
Medical Faculty Senior Ranks – Professor and Associate Professor

	MEN			WOMEN			TOTAL		
	00/01 Change from 99/00		Number	00/01 Change from 99/00		Number	00/01 Change from 99/00		Number
	Number	Percent		Number	Percent		Number	Percent	
White	109	-5.2%	-6	29	-3.3%	-1	138	-4.8%	-7
Black	2	100.0%	1	3	0.0%	0	5	25.0%	1
Asian	9	-10.0%	-1	6	0.0%	0	15	-6.3%	-1
Hispanic	1	-50.0%	-1	0	-100.0%	-1	1	-66.7%	-2
Total	121	-5.5%	-7	38	-5.0%	-2	159	-5.4%	-9
Minorities	12	-7.7%	-1	9	-10.0%	-1	21	-8.7%	-2

Medical Faculty Junior Ranks – Assistant Professor and Instructor

	MEN			WOMEN			TOTAL		
	00/01 Change from 99/00		Number	00/01 Change from 99/00		Number	00/01 Change from 99/00		Number
	Number	Percent		Number	Percent		Number	Percent	
White	38	11.8%	4	37	8.8%	3	75	10.3%	7
Black	3	N/A	3	9	28.6%	2	12	71.4%	5
Asian	4	0.0%	0	6	-25.0%	-2	10	-16.7%	-2
Hispanic	1	0.0%	0	0	N/A	0	1	0.0%	0
Unknown	3	N/A	3	1	0.0%	0	4	300.0%	3
Total	49	25.6%	10	53	6.0%	3	102	14.6%	13
Minorities	8	60.0%	3	15	0.0%	0	23	15.0%	3

Table 9, and Tables 9A and 9B give a comprehensive profile of tenure and rank status. Overall, medical faculty consist of 35% women, 65% men and 17% people of colors. On the other hand, non-medical faculty consist of 29% women, 71% men and 14% people of color.

As depicted in Table 9C, the Medical Faculty Associates component of medical faculty consists of 33% women, 67% men and 22% people of color.

**Table 9
Total Faculty**

	By Tenure Status						By Rank			
	Total		Tenure/Tenure Track		Non-Tenure-Track		Senior Ranks		Junior Ranks	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total	983	100%	678	100%	305	100%	696	100%	287	100%
Women	303	31%	177	26%	126	41%	167	24%	136	47%
Men	680	69%	501	74%	179	59%	529	76%	151	53%
White	831	85%	586	86%	245	80%	603	87%	228	79%
Black	38	4%	15	2%	23	8%	20	3%	18	6%
Asian	92	9%	63	9%	29	10%	60	9%	32	11%
Hispanic	18	2%	13	2%	5	2%	13	2%	5	2%
Unknown	4	0%	1	0%	3	1%	0	0%	4	1%
Minorities	148	15%	91	13%	57	19%	93	13%	55	19%

**Table 9A
Non-Medical Faculty**

	By Tenure Status						By Rank			
	Total		Tenure/Tenure Track		Non-Tenure-Track		Senior Ranks		Junior Ranks	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total	722	100%	571	100%	151	100%	537	100%	185	100%
Women	212	29%	152	27%	60	40%	129	24%	83	45%
Men	510	71%	419	73%	91	60%	408	76%	102	55%
White	618	86%	490	86%	128	85%	465	87%	153	83%
Black	21	3%	14	2%	7	5%	15	3%	6	3%
Asian	67	9%	55	10%	12	8%	45	8%	22	12%
Hispanic	16	2%	12	2%	4	3%	12	2%	4	2%
Unknown	0	0%	0	0%	0	0%	0	0%	0	0%
Minorities	104	14%	81	14%	23	15%	72	13%	32	17%

**Table 9B
Medical Faculty**

	By Tenure Status						By Rank			
	Total Number	Percent	Tenure/Tenure Track Number	Percent	Non-Tenure-Track Number	Percent	Senior Ranks Number	Percent	Junior Ranks Number	Percent
Total	261	100%	107	100%	154	100%	159	100%	102	100%
Women	91	35%	25	23%	66	43%	38	24%	53	52%
Men	170	65%	82	77%	88	57%	121	76%	49	48%
White	213	82%	96	90%	117	76%	138	87%	75	74%
Black	17	7%	1	1%	16	10%	5	3%	12	12%
Asian	25	10%	8	7%	17	11%	15	9%	10	10%
Hispanic	2	1%	1	1%	1	1%	1	1%	1	1%
Unknown	4	2%	1	1%	3	2%	0	0%	4	4%
Minorities	44	17%	10	9%	34	22%	21	13%	23	23%

**Table 9C
Medical Faculty Associates**

	By Tenure Status						By Rank			
	Total Number	Percent	Tenure/Tenure Track Number	Percent	Non-Tenure-Track Number	Percent	Senior Ranks Number	Percent	Junior Ranks Number	Percent
Total	147	100%	43	100%	104	100%	82	100%	65	100%
Women	48	33%	5	12%	43	41%	14	17%	34	52%
Men	99	67%	38	88%	61	59%	68	83%	31	48%
White	115	78%	37	86%	78	75%	67	82%	48	74%
Black	10	7%	0	0%	10	10%	3	4%	7	11%
Asian	20	14%	5	12%	15	14%	11	13%	9	14%
Hispanic	2	1%	1	2%	1	1%	1	1%	1	2%
Unknown	0	0%	0	0%	0	0%	0	0%	0	0%
Minorities	32	22%	6	14%	26	25%	15	18%	17	26%

In summary, these Tables demonstrate that while we continue to make progress in faculty diversity, our progress is slow and obviously, we cannot relax our efforts.

CAMPUS CLIMATE

The Administration continues to review practices and policies to ensure that we do not preclude the full participation of women faculty and faculty of color. Below we cite a few of the new and major continuing activities that highlight our ongoing attempts to make ours a collegial and hospitable campus.

Faculty Development and Support

Over the past few years, a number of programs and activities were launched in support of the development and retention of faculty. These initiatives have included: additional resources and funding for research, the University Teaching Center, University-wide new faculty orientation, expansion of the orientation program for department chairs, and targeted salary increases. The Administration, Faculty Senate, Council of Deans and department chairs have focused attention on such issues as the annual evaluation process, flexible contractual arrangements, and the review and revision of departmental by-laws and procedures. The preparation of annual faculty reports is used increasingly as an opportunity for fostering continuing faculty development.

Mentoring

The University has made good progress on mentoring, i.e., new and enhanced programs, the incorporation of mentoring into the faculty annual report, monitoring of mentoring efforts to ensure they remain an integral component of faculty development and support activities, etc. In recognition of the importance of University policy guidelines in supporting the schools' mentoring efforts, The Vice President for Academic Affairs has appointed a Mentoring Committee, composed of school and library representatives, to develop mentoring policy guidelines to promote and support faculty mentoring efforts. Committee members include:

BURNS	Assistant Director, Administration,
CSAS	Executive Associate Dean Edward Caress
ESIA	Associate Professor Martha Finnemore
GELMAN	Humanities Librarian, Elizabeth Harter
GSEHD	Assistant Professor Vasti Torres
HIMMELFARB	Electronic Resources Coordinator, Catherine Delia
LAW	Associate Professor Miriam Galston, Committee Chair
SBPM	Associate Professor Isabelle Bajeux-Besnainou
SEAS	Professor Mona Zaghloul
SMHS	Associate Professor Gerald Stokes
SPHHS	Associate Research Professor Caroline Sparks
EX OFFICIO:	Associate Professor Carol Stapp, UCSWF&L
	Assistant Vice President Annie Wooldridge, FR&PR

Exit Interviews

We are continually looking for ways to maintain a competitive faculty workforce and to stem the loss of good talent. Currently, we are considering the feasibility of a University-wide exit interview program. Exit interviews would aim at eliciting information about job-related matters that might afford us better insight into both the positive and negative aspects of working at the University. They would be used to collect information on the reason for leaving and would provide the exiting faculty member a confidential opportunity to speak freely about their work experience, management, and the work environment. We would use the information from these interviews to identify and correct organizational problems.

Faculty of Color— Issue Discussion and Networking Opportunities

Over the next few months, the Office of Academic Affairs plans to work with deans and senior faculty of color to organize biannual opportunities for faculty of color to discuss important issues and to network with colleagues across the campus. The overarching aim of these sessions is to discuss issues that affect the development and retention of GW faculty of color.

Salary Equity

We continue to monitor faculty salaries to identify and correct inequities. The Administration conducts periodic, University-wide reviews by way of the Faculty Salary Equity Committee, which is composed of representatives from the Office of Academic Affairs and the Faculty Senate. The most recent University-wide review began in Spring 1999 and was completed in August 2000. The committee is scheduled to submit to the Vice President for Academic Affairs the final report that describes the results of their review. This review uncovered four cases that merited immediate salary adjustments, provisional on better justification for the apparent disparity. Of these four cases, the Administration adjusted the salary of one male faculty member during Fall 2000, one faculty member under review retired, and the review process continues for the remaining cases.

Special salary reviews, those requested by individual faculty members or their deans, are handled on a case-by-case basis. Salaries that warrant an adjustment, pursuant to our current salary Administration policy, are adjusted accordingly.

Recognition and Prevention of Sexual Harassment

The University continues to deal with complaints of sexual harassment. Committed to maintaining a positive climate where individuals can pursue their academic and work activities in an atmosphere free from coercion and intimidation, we are determined to work toward alleviating occurrences of sexual harassment.

Interim Policies and Procedures Governing Sexual Harassment Complaints—Update.

In May 2000, following substantive reviews and discussions, the Faculty Senate submitted to the Administration its recommendations for changes to the *Interim Policy and Procedures Governing Sexual Harassment Complaints*. In light of the number and scope of revisions proposed, it was necessary that the proposed policy be reviewed again for compliance with law.³ Therefore, the

³ The Ad Hoc Committee on Policy and Procedures Governing Sexual Harassment Complaints, chaired by Edward

Administration engaged a second expert law firm to provide an independent assessment of the legality of the May 5 Faculty Senate Recommendation.

The resulting legal review yielded a document that was revised only to comply with explicit and unambiguous legal advice and was different from the Senate's recommended version. Because faculty input was central to the development of the Revised Policy, the Administration distributed the new document to the Faculty Assembly in January requesting comments by March 15, 2001. As a result of Senate discussions and concerns raised about the Revised Policy, the Senate appointed a small working committee (to include three members of the Law Faculty, Vice President and General Counsel Dennis Blumer or his designee and outside expert counsel from the consulting law firm) to reach some agreement on report language by March 15, 2001.

Faculty Education. A continuing concern is the need to address the scope of faculty education efforts related to sexual harassment recognition and prevention. While the traditional measures we have used (mass mailings, orientation sessions, department chair meetings, and other informal venues to disseminate important information) may be a starting point for this effort, additional measures are now mandatory. As a result, we are working on the following initiatives to ensure that faculty and academic administrators know what sexual harassment means and how they can recognize, confront, and prevent it.

A Workshop on Sexual Harassment Recognition & Prevention: In Fall 2000, we held a 2-hour, "pilot" workshop on sexual harassment. To ensure each school's participation in this important event, each dean designated representatives to attend. We will use the feedback from participant evaluations to revise the workshop content and format. Other workshops are forthcoming.

An Internet/Computer-Based Training Module: To supplement the workshops and make information readily accessible, we are currently reviewing an interactive, sexual-harassment-training module (for faculty, staff, and students) that people can gain access to by computer, on-line and off-line. The vendor has worked with several other educational institutions on customized programs and user feedback has been promising.

Brochure: Beginning in Fall 2001, the Administration will make available to faculty, staff, and students a brochure on sexual harassment. ***Sexual Harassment: What you Should Know*** will provide information on such things as University policy, patterns of harassment based on sex, examples of sexual harassment, advice on behavioral boundaries, and resolving complaints.

Committee on the Status of Women Faculty and Librarians

This committee was established to identify obstacles to the professional and personal development of women faculty and librarians and to increase their contributions to the University; to develop and recommend strategies to overcome obstacles and improve conditions of campus life, for women faculty and librarians; to collaborate with the Office of Academic Affairs to implement these strategies across the University. Since its inception, the Committee has held a number of meetings and seminars focusing on such issues as: development strategies for women and faculty of color,

Caress (CSAS) and Linda Gallo (SMHS), and composed primarily of faculty was appointed jointly by the Faculty Senate Executive Committee and Vice President Lehman and worked with outside counsel expert in this complex area of law.

mentoring and networking, campus climate, faculty governance, strategies for promotion, tenure and renewal, the research climate at GW, and many others. The committee members continue to work with women within their respective schools and libraries to share information and solicit issues for University and committee consideration. Current initiatives include the following: developing a committee Web page to make important information readily accessible, pursuing liaisons with important University committees, participating in the dialogue concerning parental leave, and tenure clock issues.

Recruitment Activities

The office of Faculty Recruitment and Personnel Relations (FR&PR) is responsible for monitoring the appointment of faculty personnel for equal employment opportunity purposes, counseling deans, department chairs, and search committees about University equal employment policies, and serving as a resource in support of recruitment activity in academic units. Events that accentuate the need for continued education about recruitment issues continue to occur. As a result, FR&PR meets often with school committees, department chairs, and search committees on such issues as effective planning, affirmative searches, fair and equitable processes, confidentiality, communicating with applicants/candidates, handling internal applicants/candidates, developing position criteria, evaluating dossiers, interviewing and selection strategies, and reference checking. Since the beginning of this academic year, the office participated in a half-day workshop for CSAS search committee members, met with the SBPM Executive Council (senior administrators and department chairs) and SPH&HS department chairs, and held a series of meetings for approximately 95% of the faculty and ex officio members of GSEHD search committees

SCHOOLS ACTIVITIES

Across the University, each School has instituted programs designed to improve the recruitment and retention of faculty in general and women faculty and faculty of color, in particular. A few illustrative examples includes the following:

- Mentoring programs for junior faculty
- Half-day orientation workshops for all new faculty
- A Seminar Series for new faculty
- Summer research support for junior faculty
- Refashioned faculty advising programs
- Committees that encourage and recommend diversity initiatives
- Workshops for search committees
- Reviewing and recommending policies that create a friendly work environment
- Policy that qualified women and people of color be included among the candidates brought to campus for interviews
- Ensuring that search committees include a diverse faculty group

A CONTINUING CHALLENGE

The University's continuing commitment to equal opportunity for all present and prospective members of our community is unequivocal. We strongly feel that absent a substantial presence of women faculty and faculty of color, we are deprived of the diversity of skills, perspectives, and insights essential to a great university. It is this diversity that we seek to promote through affirmative action efforts.

While department chairs and departmental faculty search committees have an obligation to ensure that all personnel decisions are made in accordance with both the spirit and the letter of equal employment/affirmative action policies and procedures, procedural compliance does not guarantee results. If we are to realize our goal of a truly diverse faculty, department chairs and search committees must be more proactive in the recruitment process. This means doing more than simply placing an advertisement, sending out position announcements to similar departments, and waiting until the applications roll in. While casting a net as effectively and widely as possible is essential to get the best pool of applicants, departments must continually and aggressively reach out to build a presence in the relevant community to increase the number of people of color in the applicant pool. It is also important that they work to ensure that screening and evaluation methods/instruments are unbiased and effective, creating a level playing field for all applicants.

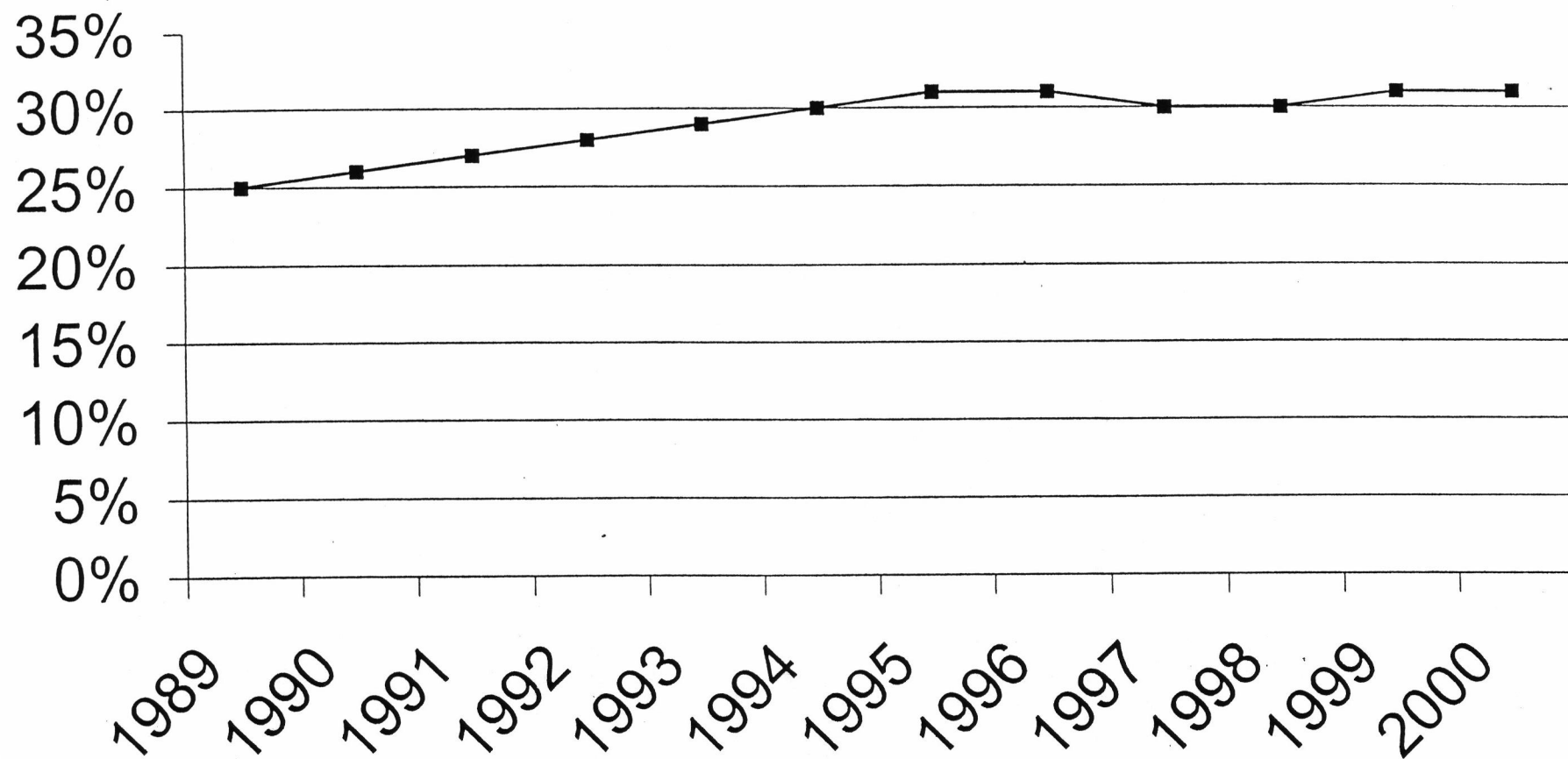
In turn, the Administration must continue its demonstrated advocacy for diversity and affirmative action efforts by ensuring that departments have the resources to carry out important recruitment activities. To have the best and most diverse faculty will require the Faculty and the Administration working closely together toward this common goal.

APPENDICES

Appendix A1:	Percentage of Women Regular Faculty
Appendix A2:	Percentage of Regular Faculty of Color
Appendix B:	New Full-Time Faculty, Academic Years 1996-97 to 2000-01
Appendix C:	Full-Time Faculty by School and Percent Change Between Academic Years 1988-89 and 2000-01
Appendix D:	Full Time Faculty by Contract Status and Percent Change Between Academic Years 1988-89 and 2000-2001
Appendix E:	Full-Time Faculty by Rank and Percent Change Between Academic Years 1988-89 and 2000-01 Senior Ranks – Professor and Associate Professor
Appendix F:	2000-01 Full-Time Faculty of Color By School
Appendix G:	Women and Minority Faculty DC Area Institutions Fall 1997 Staff IPEDS
Appendix H1:	Full-Time Faculty Terminations
Appendix H2:	Full-Time Faculty Terminations
Appendix H3:	Full-Time Faculty Terminations

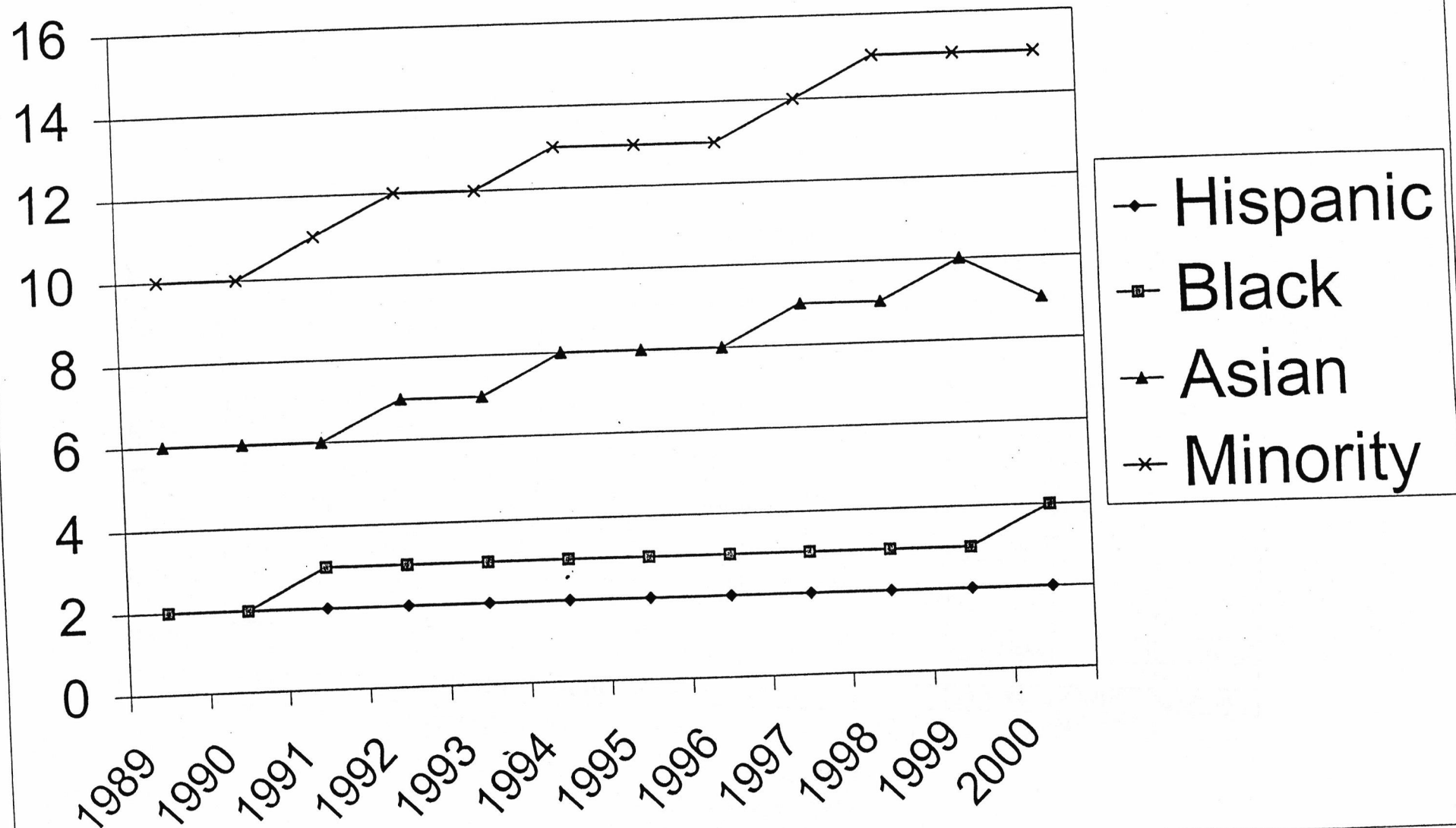
APPENDIX A1

Percentage of Women Regular Faculty



APPENDIX A2

Percentage of Regular Faculty of Color



Academic Years 1996-97 to 2000-01

	1996-97		1997-98		1998-99		1999-00		2000-01	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total	69	100%	58	100%	55	100%	67	100%	78	100%
Women	29	42%	23	40%	20	36%	31	46%	25	32%
Men	40	58%	35	60%	35	64%	36	54%	53	68%
White	59	86%	45	78%	43	78%	56	84%	60	77%
Black	2	3%	2	3%	4	7%	2	3%	4	5%
Asian	6	9%	8	14%	6	11%	8	12%	7	9%
Hispanic	2	3%	3	5%	2	4%	1	1%	2	3%
Unknown	0	0%	0	0%	0	0%	0	0%	5	6%
Minority Total	10	14%	13	22%	12	22%	11	16%	13	17%

APPENDIX C

Full-time Faculty by School and Percent Change Between Academic Years 1988/89 and 2000/01

SCHOOL	TOTAL	MEN			WOMEN			MINORITY		
		00/01	Change from 88/89		00/01	Change from 88/89		00/01	Change from 88/89	
		Number	Number	Percent	Number	Number	Percent	Number	Percent	Number
CSAS	359	236	6.3%	14	123	50.0%	41	44	120.0%	24
SBPM	117	91	21.3%	16	26	73.3%	11	21	320.0%	16
ESIA	36	30	76.5%	13	6	500.0%	5	6	500.0%	5
SEAS	74	67	-2.9%	-2	7	16.7%	1	15	50.0%	5
GSEHD	63	33	50.0%	11	30	30.4%	7	8	166.7%	5
LAW	67	47	30.6%	11	20	66.7%	8	10	400.0%	8
SMHS	237	153	-28.2%	-60	84	31.3%	20	42	27.3%	9
SPHHS	24	17		17	7		7	2		2
UNIV	6	6	50.0%	2	0	0.0%	0	0	0.0%	0
TOTAL	983	680	3.3%	22	303	49.3%	100	148	100.0%	74

APPENDIX D

Full-Time Faculty by Contract Status and Percent Change Between Academic Years 1988/89 and 2000/01 Tenured and Tenure-Track Positions Combined

	Men			Women			Total		
	00/01	Change from 88/89		00/01	Change from 88/89		00/01	Change from 88/89	
	Number	Percent	Number	Number	Percent	Number	Number	Percent	Number
White	439	-16.9%	-89	147	22.5%	27	586	-9.6%	-62
Black	6	-14.3%	-1	9	125.0%	5	15	36.4%	4
Asian	50	92.3%	24	13	44.4%	4	63	80.0%	28
Hispanic	6	-33.3%	-3	7	250.0%	5	13	18.2%	2
Unknown	0	N/A	0	1	N/A	1	1	N/A	1
TOTAL	501	-12.1%	-69	177	31.1%	42	678	-3.8%	-27
Minorities	62	47.6%	20	29	93.3%	14	91	59.6%	34

Full-Time Faculty by Rank and Percent Change Between Academic Years 1988/89 and 2000/01
Senior Ranks - Professor and Associate Professor

	Men			Women			Total		
	00/01	Change from 88/89		00/01	Change from 88/89		00/01	Change from 88/89	
	Number	Percent	Number	Number	Percent	Number	Number	Percent	Number
White	469	-6.6%	-33	134	41.1%	39	603	1.0%	6
Black	9	50.0%	3	11	450.0%	9	20	150.0%	12
Asian	44	120.0%	24	16	100.0%	8	60	114.3%	32
Hispanic	7	-12.5%	-1	6	200.0%	4	13	30.0%	3
TOTAL	529	-1.3%	-7	167	56.1%	60	696	8.2%	53
Minorities	60	76.5%	26	33	175.0%	21	93	102.2%	47

APPENDIX F
2000/01 Full-time Faculty of Color By School

Tenured and Tenure-Track Positions Combined

SCHOOL	Minority	Black	Asian	Hispanic
CSAS	36	7	24	5
SBPM	17	3	13	1
ESIA	4	0	3	1
SEAS	14	0	13	1
GSEHD	3	0	0	3
LAW	7	4	2	1
SMHS	10	1	8	1
SPHHS	0	0	0	0
UNIV	0	0	0	0
TOTAL	91	15	63	13

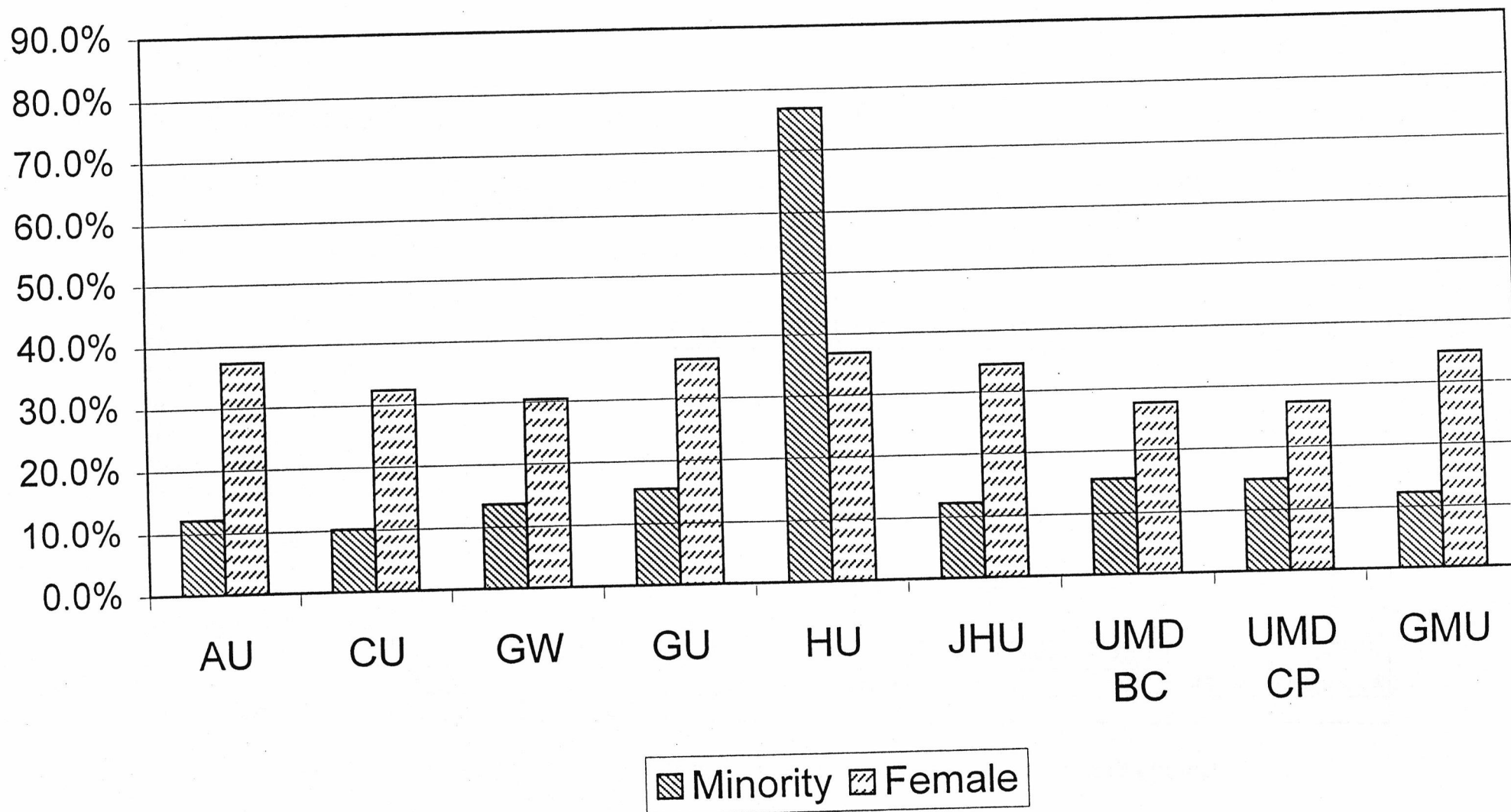
Non - Tenure - Track

SCHOOL	Minority	Black	Asian	Hispanic
CSAS	8	1	5	2
SBPM	4	1	3	0
ESIA	2	2	0	0
SEAS	1	0	1	0
GSEHD	5	2	2	1
LAW	3	1	1	1
SMHS	32	15	16	1
SPHHS	2	1	1	0
UNIV	0	0	0	0
TOTAL	57	23	29	5

Appendix G

Women and Minority Faculty

DC Area Institutions - Fall 1997 Staff IPEDS



Source: National Center for Education Statistics - Integrated Postsecondary Education Data System
 Data include all full-time faculty (regular, research, and visiting)
 TRF1WK C:\top\IPEDS\local_faculty.xls

APPENDIX H1

Full-time Faculty Terminations

Terminations October 1999 through September 2000, Includes Visiting Faculty

Count of Last	Sex	Race							
	Female			Female Total	Male			Male Total	Grand Total
Term_Reason	Asian	Black	White		Asian	Hispanic	White		
accepted another position							4	4	4
death			1	1			2	2	3
end of contract		1		1		1	1	2	3
moved to part-time	2	1	1	4			4	4	8
no stated reason	1	1	7	9	2		22	24	33
non-reappointment	1		3	4			1	1	5
permanent disability			1	1					1
retired			1	1			2	2	3
retired emeritus		1	5	6	1	1	10	12	18
temporary appointment			12	12	4	1	13	18	30
terminated							1	1	1
Grand Total	4	4	31	39	7	3	60	70	109

Terminations October 1999 through September 2000, Excludes Visiting Faculty

Count of Last	Sex	Race							
	Female			Female Total	Male			Male Total	Grand Total
Term_Reason	Asian	Black	White		Asian	Hispanic	White		
accepted another position							4	4	4
death			1	1			2	2	3
end of contract		1		1					1
moved to part-time	2	1	1	4			4	4	8
no stated reason	1	1	7	9	1		22	23	32
non-reappointment	1		3	4			1	1	5
permanent disability			1	1					1
retired			1	1			2	2	3
retired emeritus		1	5	6	1	1	10	12	18
terminated							1	1	1
Grand Total	4	4	19	27	2	1	46	49	76

APPENDIX H2

Full-time Faculty Terminations

Terminations October 1999 through September 2000, Excludes Medical Faculty

Count of Last	Sex	Race			Female Total	Male			Male Total	Grand Total
	Female	Asian	Black	White		Asian	Hispanic	White		
accepted another position								4	4	4
death				1	1			2	2	3
moved to part-time	1				1					1
no stated reason			1	2	3	1		7	8	11
non-reappointment	1			3	4			1	1	5
permanent disability				1	1					1
retired				1	1			2	2	3
retired emeritus			1	4	5	1		7	8	13
temporary appointment				12	12	4	1	13	18	30
terminated								1	1	1
Grand Total		2	2	24	28	6	1	37	44	72

Terminations October 1999 through September 2000, Medical Faculty, Excludes Visiting

Count of Last	Sex	Race			Female Total	Male			Male Total	Grand Total
	Female	Asian	Black	White		Asian	Hispanic	White		
end of contract			1		1					1
moved to part-time	1		1	1	3			4	4	7
no stated reason	1			5	6	1		15	16	22
retired emeritus				1	1		1	3	4	5
Grand Total		2	2	7	11	1	1	22	24	35

APPENDIX H3

Full-time Faculty Terminations

Terminations October 1999 through September 2000, Regular Faculty, Excludes Visiting and Medical

Count of Last Term Reason	Sex	Race		Female Total	Male		Male Total	Grand Total
	Female	Asian	Black		Asian	White		
accepted another position						4	4	4
death			1	1		2	2	3
moved to part-time	1			1				1
no stated reason			1	2	3	7	7	10
non-reappointment	1			3	4	1	1	5
permanent disability				1	1			1
retired				1		2	2	3
retired emeritus			1	4	5	1	7	8
terminated						1	1	1
Grand Total	2	2	2	12	16	24	25	41

REPORT OF THE EXECUTIVE COMMITTEE

March 9, 2001

Professor John G. Boswell, Chair

1. GRIEVANCES

As reported to you at the September 8th meeting, the Executive Committee appointed Professor Carol L. Izumi as Special Mediator in a grievance from the School of Medicine and Health Sciences. Professor Izumi has reported that the grievance has been successfully resolved outside the mediation process.

Also reported at the same meeting, the Executive Committee appointed Professor Mary Cheh as Special Mediator in a second grievance from the School of Medicine and Health Sciences. Professor Cheh has just informed the Executive Committee that further efforts at mediation in this grievance would be futile.

2. ELECTION OF THE EXECUTIVE COMMITTEE FOR THE 2001-012 SESSION

The election of the Chair and the members of the new Executive Committee for the 2001-02 Session, beginning in May, will take place at the April Senate meeting.

3. RESOLUTION ON REVISED DRAFT OF THE SEXUAL HARASSMENT POLICIES AND PROCEDURES

A Resolution on this matter is expected to be considered by the Senate at the April meeting.

4. OTHER MATTERS

The Executive Committee at its April meeting will propose nominees for election to the Dispute Resolution Committee, including a Chair, and make recommendations for appointment by the President to various Administration Committees.

2.

5. ANNOUNCEMENTS

The next meeting of the Executive Committee is scheduled for March 30th. Reports and resolutions for the April Senate meeting should be received by the Executive Committee before that date.

THE GEORGE WASHINGTON UNIVERSITY
Washington, DC

The Faculty Senate

February 26, 2001

The Faculty Senate will meet on Friday, March 9, 2001, at 2:10 p.m., in the Alumni House, First Floor, 1925 F Street, NW.

AGENDA

1. Call to order

2. IN MEMORIAM:

**Robert Kramer, Professor Emeritus of Law; Dean Emeritus
of the Law School (by Professor Robert E. Park)**

**Joseph Benjamin Levy, Professor Emeritus of Chemistry
(by Professor Michael M. King)**

3. Approval of the minutes of the regular meetings of January 19, 2001, and February 2, 2001, respectively, as distributed

4. Resolutions:

A RESOLUTION WITH RESPECT TO ACTION TAKEN BY THE UNIVERSITY'S BOARD OF TRUSTEES IN RESPONSE TO RESOLUTION 99/2, "A RESOLUTION TO AMEND THE 1996 FACULTY CODE OF THE GEORGE WASHINGTON UNIVERSITY" (00/5); Professor Robinson, Chair, Professional Ethics and Academic Freedom Committee (Resolution 00/5 attached)

5. Introduction of Resolutions

6. Update on Health and Wellness Center and Smith Athletic Center by administrative representative

7. Annual Report on Recruitment and Appointment of Women and Faculty of Color by Vice President Lehman

8. Statement from Fiscal Planning and Budget Committee and the Libraries Committee regarding increased funding for the Library by Professor Lindahl, Chair, Libraries Committee

9. Report on status of College of Professional Studies by Vice President Lehman

10. General Business:

- (a) Nomination for election of the Nominating Committee for the new Executive Committee for the 2001-02 Session (nominees to be announced)**
- (b) Report of the Executive Committee: Professor John G. Boswell, Chair**
- (c) Interim Reports of Senate Standing Committees**

11. Brief Statements (and Questions)

12. Adjournment


Tim Terpstra
Secretary

**A RESOLUTION WITH RESPECT TO ACTION TAKEN BY THE
UNIVERSITY'S BOARD OF TRUSTEES IN RESPONSE TO
RESOLUTION 99/2, "A RESOLUTION TO AMEND THE 1996
FACULTY CODE OF THE GEORGE WASHINGTON UNIVERSITY" (00/5)**

WHEREAS, subsequent to its two- year study a special committee of faculty and administration representatives recommended revisions to the faculty grievance procedures, and these were considered, with input from the University's General Counsel office, by the committee on Professional Ethics and Academic Freedom, which then prepared Resolution 99/2; and

WHEREAS, on December 10, 1999, the Faculty Senate adopted Resolution 99/2, "A Resolution to Amend the 1996 Faculty Code of the George Washington University," for the purpose of revising the faculty grievance procedures set forth in Article X of the Faculty Code and Section E of the Procedures for the Implementation of the Faculty Code; and

WHEREAS, on October 13, 2000, in response to a request by the University's Administration, the Faculty Senate adopted Resolution 00/2 for the purpose of amending one provision of Section E of the Procedures for the Implementation of the Faculty Code as revised by Resolution 99/2; and

WHEREAS, the University Administration in forwarding Resolutions 99/2 and 00/2 to the Board of Trustees recommended changes, which the Faculty Senate had not had an opportunity to consider, to seven provisions of the Revised Section E Procedures, and these were adopted by the Board on October 20, 2000; and

WHEREAS, as shown in the Exhibit accompanying this Resolution, several of the changes are of special concern because they altered the provisions in a substantive and significant manner, including a change in the text of Section E.5a that improperly substituted "findings and recommendations" for "final decision," and the heading of Section E.6, which similarly improperly substituted "Recommendations" for "Remedies," both of which changes intentionally and erroneously described a Grievance in terms inconsistent with the true nature of such a procedure as an arbitration proceeding, where "decisions" and "remedies" are rendered, not mere "findings" or "recommendations" which the University Administration can follow, or ignore, in its discretion; such changes in terminology were previously proposed by the Administration on several occasions but were rejected unanimously by the Faculty members of both a Subcommittee and full Committee of the Professional Ethics and Academic Freedom Committee of the Faculty Senate; and

WHEREAS, of further great concern is the seventh change which altered the second sentence of Section E.6 in a substantive and significant manner, because (i) this change prohibits a Hearing Committee and the Dispute Resolution Committee from rendering any award of "monetary damages," which term was substituted for "damages for nonpecuniary losses," so that such things as loss of wages, loss of research grant, etc., could not

be included in a Grievance decision, and (ii) an identical change, previously proposed by University officials, was formally presented to and rejected by the Faculty Senate when it adopted Resolution 99/2 on December 10, 1999; and

WHEREAS, it appears that the Board did not understand, when it adopted the Revised Section E Procedures, that the seven changes recommended by the University officials had not been previously approved by the Faculty Senate; and

WHEREAS, Article IX of the Faculty Code recognizes the principle of shared governance between the regular, active status faculty, the officers of the Administration, and the Board of Trustees; and

WHEREAS, in accordance with this principle of shared governance the Board has consequently adopted amendments to the Faculty Code only after such amendments have been previously presented to the Faculty Senate for its review and recommendation; and

WHEREAS, the Faculty Senate has not had an opportunity to review, debate and act on the revisions to Section E of the Procedures for the Implementation of the Faculty Code as approved by the Board;

NOW, THEREFORE BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

That the Faculty Senate requests that the Board of Trustees, in accordance with established practice, provides an opportunity for the Faculty Senate to consider and make recommendations with respect to the revisions to Section E, as approved by the Board.

Professional Ethics and Academic Freedom Committee
February 23, 2001

EXHIBIT

4. Formal Proceedings

....

b) Hearing Committee and Hearing Officer

....

4) On the determination that a hearing is warranted, the Hearing Officer shall promptly convene the Hearing Committee, which shall establish a schedule for the hearing. Grievances shall be heard and decided with reasonable dispatch, and, ordinarily, shall be completed by the Hearing Committee within three months after the determination that a hearing is warranted. However, due consideration shall be given to the University's normal academic calendar.

5) ~~All three~~ Members of the Hearing Committee shall be present during the hearings and deliberations of the Committee, except that the presence during part of the proceedings of one of ~~them~~ the two not serving as the Hearing Officer ~~during part of the proceedings~~ may be waived by agreement of the parties.

6) It shall be the duty of the Hearing Officer to convene promptly the meetings of the Hearing Committee and to preside; to assure the expeditious disposition of the case; to rule on all questions of procedure necessary to the conduct of the hearing, subject to being overridden by the other two members of the Hearing Committee; to control the development of testimony and of evidence in the record; to prepare or assign the writing of an opinion on behalf of the Hearing Committee; and to advise the Hearing Committee in its deliberations on questions of substance and procedure. The Hearing Officer is a full member of the Hearing Committee, and the Hearing Committee shall decide all ultimate questions of fact, substance, procedure, or policy, by majority vote. The Hearing Officer shall sign dispositive orders on behalf of the Hearing Committee.

7) Members of the Hearing Committee, members of the Dispute Resolution Committee, and the parties shall avoid ex parte communications bearing on the substance of the dispute.

c) Procedure for Hearings

1) The parties to the proceedings shall be entitled to appear in person and to be represented by counsel or other adviser.

2) A grievance procedure is not a formal judicial proceeding. Its purpose is to provide a fair evaluation of an allegation that a right or privilege has been violated. In order to achieve that end, the Hearing Committee shall have authority to call any material witness who is a member of the University faculty, administration, or staff and any other person who is willing to testify; to question parties and witnesses; to exclude matters it deems irrelevant; to place reasonable limits on arguments, the presentation of evidence, and the questioning of witnesses by the parties. The University will make a reasonable effort to facilitate the ~~shall use its best efforts to assure the~~ appearance of all faculty, administration, and staff reasonably called to testify.

3) The procedure at the hearings shall be informal but shall comply with the requirements of fairness to the parties. The Hearing Committee is not required to comply with rules of evidence applicable in courts of law and may receive any relevant evidence that is not privileged. The Hearing Committee may decline to consider evidence when its probative value is outweighed by considerations of unfair prejudice, confusion of the issues, undue delay, waste of time, or needless presentation of cumulative evidence. The parties shall be entitled to testify on their own behalf; to call as material witnesses any member of the University faculty, administration, or staff and any other person who is willing to testify; to present written and other evidence; and to cross-examine witnesses called by other parties. A party shall be entitled to inspect and copy, in advance of the hearing, all relevant documents in the control of the other party and not privileged and may offer such documents or excerpts therefrom in evidence.

4) The parties shall be entitled to present opening and closing statements.

5) A stenographic record or tape recording of the hearings shall be made and one copy, which shall be available to all parties, kept on file by the University.

6) The hearings shall be open to the public unless, on the motion of a party or the Hearing Committee, the Hearing Committee shall determine that it is in the best interest of the University and the parties that the hearings be closed.

7) At the conclusion of the presentation of evidence and argument from both sides, the Committee shall convene in closed session to deliberate and reach a decision. In rendering its decision, the Hearing Committee shall not substitute its judgment for that of the maker of the decision being challenged. Rather it shall determine whether the

Grievant has established by clear and convincing evidence that he or she has suffered a substantial injury pursuant to Article X.B.

8) The Hearing Committee shall render its findings and recommendations in a written opinion that shall state the number of members subscribing to the opinion and shall include dissenting opinions, if any. This opinion shall be submitted to the Chair of the Dispute Resolution Committee, and copies shall be transmitted to the parties and to the Chair of the Executive Committee of the Faculty Senate.

9) The hearing procedures shall be concluded and the Hearing Committee's findings and recommendations shall be rendered as soon as practicable.

5. Appeals

a) Any party may appeal the ~~final decision~~ findings and recommendations of the Hearing Committee by filing a notice of appeal with the Chair of the Dispute Resolution Committee and sending copies thereof to the Chair of the Executive Committee of the Faculty Senate and to the other parties. The notice of appeal must be filed within ten calendar days of the receipt of the decision of the Hearing Committee.

b) An appeal shall be heard by members of the Dispute Resolution Committee who were not members of the Hearing Committee, provided that members of the Dispute Resolution Committee who were disqualified from sitting as members of the Hearing Committee and members of the same department as the Grievant shall not participate in the hearings of the appeal. A quorum for hearing an appeal shall be two-thirds of those members of the Dispute Resolution Committee eligible under the terms of this section.

c) The parties to an appeal shall be entitled to present written and oral argument. However, evidence not introduced in the hearing may not be considered on appeal.

d) The Dispute Resolution Committee shall decide by majority vote and render an opinion in writing, sustaining, modifying, overruling, or remanding the decision of the Hearing Committee.

6. ~~Remedies~~ Recommendations

A Hearing Committee and the Dispute Resolution Committee may recommend that the University action being challenged be upheld, modified, reconsidered or remanded under specified conditions, or reversed, in whole or in part. A Hearing Committee and the Dispute Resolution Committee may not include as part of their recommendations any monetary damages, ~~for nonpecuniary losses~~, punitive damages, or

any other actions or measures outside of the scope of the underlying University action being challenged.

7. Final Disposition

In the absence of a timely appeal filed by either party from a decision of a Hearing Committee, or after a decision of the Dispute Resolution Committee, such decision shall be transmitted to the parties, to the Chair of the Executive Committee of the Faculty Senate, and to the Vice President for Academic Affairs. The decision of the relevant Committee shall be deemed final and shall be implemented by the University unless the Vice President for Academic Affairs determines that there are compelling reasons not to implement the relevant Committee's decision. In the event of such a determination, the Vice President shall transmit his or her determination (including an explanation of such compelling reasons) and recommendation, and the record of the case through the President of the University to the Board of Trustees, or, at the election of the Grievant, solely to the President, with copies to the Grievant and the Chairs of the Dispute Resolution Committee and the Executive Committee of the Faculty Senate, for a prompt decision of the President or the Board of Trustees.